



# Senate

General Assembly

**File No. 597**

January Session, 2019

Substitute Senate Bill No. 972

*Senate, April 10, 2019*

The Committee on Planning and Development reported through SEN. CASSANO, S. of the 4th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

***AN ACT CONCERNING ACCESS TO ORIGINAL BIRTH CERTIFICATES BY ADULT ADOPTED PERSONS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (c) of section 7-53 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective July*  
3 *1, 2019*):

4 (c) Upon written request, the [department] registrar of vital statistics  
5 of the town of an adopted person's birth shall, not later than thirty  
6 days after such written request, issue an uncertified copy of an original  
7 certificate of birth to (1) [an] such adopted person [who] if he or she is  
8 eighteen years of age or older, [whose adoption was finalized on or  
9 after October 1, 1983,] or (2) such adopted person's adult child or  
10 grandchild. Such certificate shall be marked with a notation by the  
11 issuer that such original certificate of birth has been superseded by a  
12 replacement certificate of birth as on file. Additionally, a notice stating  
13 that information related to the birth parents' preferences regarding

14 contact by such adopted person or such adopted person's adult child  
15 or grandchild and a medical health history form completed by the  
16 birth parent may be on file with the Department of Children and  
17 Families shall be printed on such certificate or attached thereto.

18 Sec. 2. Section 7-53a of the general statutes is repealed and the  
19 following is substituted in lieu thereof (*Effective July 1, 2019*):

20 [(a) Not later than January 1, 2016, and annually thereafter until  
21 January 1, 2021, the Commissioner of Public Health shall submit a  
22 report, in accordance with the provisions of section 11-4a, concerning  
23 the number of original birth certificates issued annually to adopted  
24 persons eighteen years of age or older whose adoption was finalized  
25 on or after October 1, 1983, or the adult children or grandchildren of  
26 adopted persons in accordance with section 7-53, to the joint standing  
27 committee of the General Assembly having cognizance of matters  
28 relating to public health.]

29 [(b)] Not later than January 1, [2016] 2020, and annually thereafter  
30 until January 1, [2021] 2025, the Commissioner of Children and  
31 Families shall submit a report, in accordance with the provisions of  
32 section 11-4a, concerning the number of contact preference forms and  
33 medical health history forms annually filed with the [department]  
34 Department of Children and Families in accordance with section 17a-  
35 60a to the joint standing committee of the General Assembly having  
36 cognizance of matters relating to public health. The report shall  
37 include the number of birth parents that selected each option described  
38 in section 17a-60a.

39 Sec. 3. Subsection (c) of section 45a-751b of the general statutes is  
40 repealed and the following is substituted in lieu thereof (*Effective July*  
41 *1, 2019*):

42 (c) Regardless of the date parental rights were terminated, on or  
43 after July 1, [2015] 2019, the [Department of Public Health] registrar of  
44 vital statistics of the town of an adopted person's birth shall, [upon]  
45 not later than thirty days after a written request, issue an uncertified

46 copy of an original birth certificate to [an] such adopted person if he or  
47 she is eighteen years of age or older [who is] and the subject of [the]  
48 such birth certificate, [and whose adoption was finalized on or after  
49 October 1, 1983,] or to such adopted person's adult child or grandchild,  
50 in accordance with the provisions of section 7-53, as amended by this  
51 act.

52 Sec. 4. Section 45a-751c of the general statutes is repealed and the  
53 following is substituted in lieu thereof (*Effective July 1, 2019*):

54 [(a) On the petition of an adopted person who is eighteen years of  
55 age or older and whose adoption was finalized prior to October 1,  
56 1983, or such adopted person's adult child or grandchild, the Probate  
57 Court or the Superior Court that finalized an adoption or appointed a  
58 guardian ad litem in accordance with section 45a-753 shall issue an  
59 order directing the Department of Public Health to issue an uncertified  
60 copy of an original birth certificate to such adopted person or such  
61 adopted person's child or grandchild in accordance with subsection (b)  
62 of section 7-53, provided each birth parent named on the original birth  
63 certificate: (1) Consents to the release of identifying information in  
64 accordance with sections 45a-751 to 45a-751b, inclusive; (2) is deceased;  
65 or (3) a legal representative or guardian ad litem consents to the  
66 release of identifying information on behalf of the birth parent in  
67 accordance with section 45a-753. Nothing in this section shall limit the  
68 right of an adopted person eighteen years of age or older whose  
69 adoption was finalized on or after October 1, 1983, or such adopted  
70 person's adult child or grandchild to obtain an uncertified copy of an  
71 original birth certificate pursuant to section 7-53.]

72 [(b)] On the petition of an authorized applicant, as defined in section  
73 45a-743, the Probate Court or the Superior Court that finalized an  
74 adoption or appointed a guardian ad litem in accordance with section  
75 45a-753 shall issue an order directing the Department of Public Health  
76 to issue an uncertified copy of an original birth certificate to the  
77 authorized applicant in accordance with subsection (b) of section 7-53,  
78 provided the person named in the certificate of birth is deceased and

79 (1) each birth parent named on the original birth certificate [; (1)  
 80 Consents] (A) consents to the release of identifying information, in  
 81 accordance with sections 45a-751 to 45a-751b, inclusive, as amended by  
 82 this act, [; (2)] or (B) is deceased, [; or (3)] or (2) a legal representative or  
 83 guardian ad litem consents to the release of identifying information on  
 84 behalf of the birth parent, in accordance with section 45a-753.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2019	7-53(c)
Sec. 2	July 1, 2019	7-53a
Sec. 3	July 1, 2019	45a-751b(c)
Sec. 4	July 1, 2019	45a-751c

**PD**      *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

## OFA Fiscal Note

### State Impact:

Agency Affected	Fund-Effect	FY 20 \$	FY 21 \$
Resources of the General Fund	GF - Revenue Loss	2,275	2,275

Note: GF=General Fund

### Municipal Impact:

Municipalities	Effect	FY 20 \$	FY 21 \$
Various Municipalities	Revenue Gain	5,395	5,395

### Explanation

The bill, which expands access to uncertified copies of original birth certificates to adults adopted prior to 10/1/83 by allowing them to obtain copies from municipal registrars of vital statistics, results in an annual General Fund (GF) revenue loss of approximately \$2,275 and an annual municipal revenue gain of \$5,395. The municipal revenue gain is anticipated to be distributed across the 169 Connecticut municipalities.

Current law provides access to uncertified copies of adoptees' original birth certificates only to adoptees whose adoptions were finalized on or after 10/1/83, and only through the Department of Public Health's Office of Vital Statistics for a fee of \$65 per copy. There were 35 requests for such copies in 2017,<sup>1</sup> resulting in a GF revenue gain of \$2,275. Going forward under the bill, these requests are

<sup>1</sup>This is approximately 0.1% of the total population of individuals adopted between 10/1/83 and the present (32,220).

anticipated to be made of municipal registrars of vital statistics. Of the 43,903 adults adopted prior to 10/1/83, it is anticipated that 48 will make requests for uncertified copies of their original birth certificates annually, resulting in a municipal revenue gain of \$3,120. These two changes combined result in a total anticipated municipal revenue gain of approximately \$5,395 annually from 83 requests.

***The Out Years***

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of uncertified copies of original birth certificates issued by municipal registrars of vital statistics.

*Sources: Department of Public Health, Office of Vital Statistics*

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**OLR Bill Analysis**

**sSB 972**

***AN ACT CONCERNING ACCESS TO ORIGINAL BIRTH CERTIFICATES BY ADULT ADOPTED PERSONS.***

**SUMMARY**

This bill expands access to birth certificates for adopted persons age 18 and older and their adult children or grandchildren. It allows all such individuals to obtain an uncertified copy of the adoptee's original birth certificate upon request. Current law provides this access only for adoptions finalized on or after October 1, 1983.

For adoptions before that date, current law allows such access to the original certificate only through a court order. If the birth parents are alive, the court can only issue such an order with their consent, or in certain circumstances, the consent of a legal representative or guardian ad litem.

The bill also transfers, from the Department of Public Health (DPH) to municipalities, the responsibility to issue such original birth certificates upon request of an eligible individual. Specifically, it requires the registrar of vital statistics in the town of the adopted individual's birth to issue the uncertified copy of the certificate, within 30 days of the written request of the adoptee age 18 or older or his or her adult child or grandchild. Current law does not set a timeframe for DPH to issue such birth certificates.

The bill makes a corresponding change by eliminating the requirement for DPH to report annually, until 2021, on the number of adult adoptee birth certificates the department issues.

It also extends by four years the requirement for the Department of Children and Families (DCF) to report annually to the Public Health

Committee on the number of birth parent contact preference and health history forms filed with DCF (see BACKGROUND). Under the bill, the last report is due January 1, 2025.

The bill also makes conforming changes.

EFFECTIVE DATE: July 1, 2019

**BACKGROUND**

***Adoptee Birth Certificates***

In most cases, DPH seals the original birth certificate when a court notifies it that a child born in Connecticut has been adopted. It prepares a new certificate substituting the adoptive parents’ names for those appearing on the original certificate (CGS § 7-53).

***Contact Preference and Health History Forms***

By law, a biological parent may complete a DCF form indicating whether he or she wants to be contacted by his or her adopted adult child or the adoptee’s adult children or grandchildren. When receiving a request for a contact preference form, DCF must also provide the parent with a form on which to record his or her health history information (CGS § 17a-60a).

**COMMITTEE ACTION**

Planning and Development Committee

Joint Favorable Substitute

Yea 16 Nay 6 (03/25/2019)