



House of Representatives

General Assembly

File No. 49

January Session, 2021

House Bill No. 6105

House of Representatives, March 16, 2021

The Committee on Planning and Development reported through REP. MCCARTHY VAHEY, C. of the 133rd Dist., Chairperson of the Committee on the part of the House, that the 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2 repealed and the following is substituted in lieu thereof (*Effective July 1,*
3 *2021*):

4 (c) Upon written request, the [department shall] registrar of vital
5 statistics of the municipality of an adopted person's birth shall, not later
6 than thirty days after such written request, issue an uncertified copy of
7 an original certificate of birth to (1) [an] such adopted person [who] if
8 he or she is eighteen years of age or older, [whose adoption was
9 finalized on or after October 1, 1983,] or (2) such adopted person's adult
10 child or grandchild. Such certificate shall be marked with a notation by
11 the issuer that such original certificate of birth has been superseded by
12 a 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 or
15 grandchild and a medical health history form completed by the birth
16 parent may be on file with the Department of Children and Families
17 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 Section 7-53a of the general statutes is repealed and the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, 2021*):

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 on
25 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] 2022, and annually thereafter
30 until January 1, [2021] 2027, the Commissioner of Children and Families
31 shall submit a report, in accordance with the provisions of section 11-4a,
32 concerning the number of contact preference forms and medical health
33 history forms annually filed with the [department] Department of
34 Children and Families in accordance with section 17a-60a to the joint
35 standing committee of the General Assembly having cognizance of
36 matters relating to public health. The report shall include the number of
37 birth parents that selected each option described in section 17a-60a.

38 Sec. 3. Subsection (c) of section 45a-751b of the general statutes is
39 repealed and the following is substituted in lieu thereof (*Effective July 1,*
40 *2021*):

41 (c) Regardless of the date parental rights were terminated, on or after
42 July 1, [2015, the Department of Public Health shall, upon] 2021, the
43 registrar of vital statistics of the municipality of an adopted person's
44 birth shall, not later than thirty days after a written request, issue an
45 uncertified copy of an original birth certificate to [an] such adopted

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

51 Sec. 4. Section 45a-751c of the general statutes is repealed and the
52 following is substituted in lieu thereof (*Effective July 1, 2021, and*
53 *applicable to petitions filed on and after July 1, 2020*):

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

79 each birth parent named on the original birth certificate [:(1) Consents]
 80 (A) consents to the release of identifying information, in accordance
 81 with sections 45a-751 to 45a-751b, inclusive, as amended by this act, [;
 82 (2) is deceased; or (3)] or (B) is deceased, 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	<i>July 1, 2021</i>	7-53(c)
Sec. 2	<i>July 1, 2021</i>	7-53a
Sec. 3	<i>July 1, 2021</i>	45a-751b(c)
Sec. 4	<i>July 1, 2021, and applicable to petitions filed on and after July 1, 2020</i>	45a-751c

PD *Joint Favorable*

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 22 \$	FY 23 \$
Resources of the General Fund	GF - Revenue Loss	Minimal	Minimal

Note: GF=General Fund

Municipal Impact:

Municipalities	Effect	FY 22 \$	FY 23 \$
Various Municipalities	Revenue Gain	Minimal	Minimal

Explanation

The bill transfers the responsibility for the issuance of uncertified copies of original birth certificates from the Department of Public Health (DPH) to municipal registrars of vital statistics, which results in the transfer of the associated, minimal fee revenue from the General Fund, generated by DPH, to various municipalities.¹ The bill also expands access to uncertified copies of birth certificates to individuals adopted prior to 10/1/1983, which is anticipated to minimally increase associated fee revenue in FY 22, FY 23, and the out years.

By altering the existing statute to require that requests for uncertified copies of birth certificates be made in writing, and by allowing municipal registrars thirty days to process requests and issue copies, no administrative costs to municipalities are anticipated. The bill also makes technical and other changes that are not anticipated to result in a fiscal impact to the state or municipalities.

¹CGS Sec. 7-74 sets the fee for an uncertified copy of original birth certificates at \$65 per copy.

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.

OLR Bill Analysis**HB 6105*****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 them 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 access to the original certificate by these individuals only through a court order. If the birth parents are alive, the court may issue the order only 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 the original birth certificates upon an eligible individual's request. Specifically, it requires the registrar of vital statistics in the municipality of the adopted individual's birth to issue the uncertified copy of the certificate to the adoptee age 18 or older or his or her adult child or grandchild. The registrar must do so within 30 days after a written request by these individuals. Current law does not set a timeframe for DPH to issue these birth certificates.

Additionally, the bill extends to January 1, 2027, 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 current law, this requirement expired on January 1, 2021.

The bill also makes conforming and technical changes, including eliminating an expired requirement for DPH to annually report on the number of adult adoptee birth certificates issued each year.

EFFECTIVE DATE: July 1, 2021, and conforming changes on court petitions apply to petitions filed on and after July 1, 2020.

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 the parent 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

Yea 26 Nay 0 (03/02/2021)