



House of Representatives

File No. 630

General Assembly

January Session, 2021

(Reprint of File No. 49)

House Bill No. 6105
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
May 6, 2021

**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. Subsections (b) and (c) of section 7-53 of the general statutes
2 are repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2021*):

4 (b) Except as provided in subsection (c) of this section and section
5 45a-751c, as amended by this act, an original certificate of birth may only
6 be issued if the person named in the certificate of birth is deceased and
7 the person seeking to obtain such certificate of birth is an authorized
8 applicant, as defined in section 45a-743. Any authorized applicant
9 seeking to obtain a copy of the original certificate of birth shall first
10 obtain a written court order issued in accordance with section 45a-751c,
11 as amended by this act. Upon receipt of such court order, the
12 [department] registrar of vital statistics of the municipality of an
13 adopted person's birth may issue an uncertified copy of the original

14 certificate of birth on file, marked with a notation by the issuer that such
15 original certificate of birth has been superseded by a replacement
16 certificate of birth as on file.

17 (c) Upon written request, the [department shall] registrar of vital
18 statistics of the municipality of an adopted person's birth shall, not later
19 than thirty days after such written request, issue an uncertified copy of
20 an original certificate of birth to (1) [an] such adopted person [who] if
21 he or she is eighteen years of age or older, [whose adoption was
22 finalized on or after October 1, 1983,] or (2) such adopted person's
23 [adult] child or grandchild, provided such child or grandchild is
24 eighteen years of age or older. Such certificate shall be marked with a
25 notation by the issuer that such original certificate of birth has been
26 superseded by a replacement certificate of birth as on file. Additionally,
27 a notice stating that information related to the birth parents' preferences
28 regarding contact by such adopted person or such adopted person's
29 adult child or grandchild and a medical health history form completed
30 by the birth parent may be on file with the Department of Children and
31 Families shall be printed on such certificate or attached thereto.

32 Sec. 2. Subsection (c) of section 45a-751b of the general statutes is
33 repealed and the following is substituted in lieu thereof (*Effective July 1,*
34 *2021*):

35 (c) Regardless of the date parental rights were terminated, on or after
36 July 1, [2015, the Department of Public Health shall, upon] 2021, the
37 registrar of vital statistics of the municipality of an adopted person's
38 birth shall, not later than thirty days after a written request, issue an
39 uncertified copy of an original birth certificate to [an] such adopted
40 person if he or she is eighteen years of age or older [who is] and the
41 subject of [the] such birth certificate, [and whose adoption was finalized
42 on or after October 1, 1983,] or to such adopted person's [adult] child or
43 grandchild, in accordance with the provisions of section 7-53, as
44 amended by this act.

45 Sec. 3. Section 45a-751c of the general statutes is repealed and the

46 following is substituted in lieu thereof (*Effective July 1, 2021, and*
47 *applicable to petitions filed on and after July 1, 2021*):

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

66 [(b)] On the petition of an authorized applicant, as defined in section
67 45a-743, the Probate Court or the Superior Court that finalized an
68 adoption or appointed a guardian ad litem in accordance with section
69 45a-753 shall issue an order directing the [Department of Public Health]
70 registrar of vital statistics of the municipality of an adopted person's
71 birth to issue an uncertified copy of an original birth certificate to the
72 authorized applicant in accordance with subsection (b) of section 7-53,
73 as amended by this act, provided the person named in the certificate of
74 birth is deceased and (1) each birth parent named on the original birth
75 certificate [:(1) Consents] (A) consents to the release of identifying
76 information, in accordance with sections 45a-751 to 45a-751b, inclusive,
77 as amended by this act, [:(2) is deceased; or (3)] or (B) is deceased, or (2)
78 a legal representative or guardian ad litem consents to the release of
79 identifying information on behalf of the birth parent, in accordance with

80 section 45a-753.

81 Sec. 4. Section 7-53a of the general statutes is repealed. (*Effective July*
82 *1, 2021*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2021</i>	7-53(b) and (c)
Sec. 2	<i>July 1, 2021</i>	45a-751b(c)
Sec. 3	<i>July 1, 2021, and applicable to petitions filed on and after July 1, 2021</i>	45a-751c
Sec. 4	<i>July 1, 2021</i>	Repealer section

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

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

fiscal impact to the state or municipalities.

House "A" strikes the original bill and its associated fiscal impact, thus becoming the bill with the above referenced fiscal impact.

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 (as amended by House "A")******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 adult grandchildren by allowing 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 (GAL).

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 adult 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.

The bill similarly transfers, from DPH to municipalities, the responsibility to issue original birth certificates upon a court order to certain relatives (e.g., adult descendants or biological siblings of the adoptee) in cases where an adoptee is deceased. (In these cases, the same

requirement to obtain consent from the living birth parents or a legal representative or GAL applies as noted above.)

The bill also makes conforming and technical changes, including repealing certain expired reporting requirements.

*House Amendment "A" (1) removes a provision in the underlying bill extending an expired requirement for the Department of Children and Families to report annually on birth parent contact preference and health history forms; (2) transfers, from DPH to municipalities, the responsibility to issue original birth certificates following certain court orders; and (3) makes technical and conforming changes.

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

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).

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable

Yea 26 Nay 0 (03/02/2021)