

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

HOUSE BILL 1280

By: Kern

AS INTRODUCED

An Act relating to adoption; amending 10 O.S. 2001, Section 7505-6.6, which relates to birth certificates; requiring original birth certificates in certain circumstances; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 10 O.S. 2001, Section 7505-6.6, is amended to read as follows:

Section 7505-6.6 A. 1. For each adoption or annulment of adoption, the attorney or child-placing agency handling the adoption or annulment of adoption shall prepare and the clerk of the court shall certify, within thirty (30) days after the decree becomes final, a certificate of such decree on a form furnished by the State Registrar of Vital Statistics.

2. Before the fifteenth day of each calendar month, the attorney or child-placing agency handling the adoption or annulment of adoption shall forward to the State Registrar the certificates prepared by the attorney or agency handling the adoption or annulment of adoption during the preceding calendar month. If a biological parent has filed an affidavit of nondisclosure pursuant to Section 7503-2.5 of this title, the attorney or agency handling the adoption shall attach the affidavit of nondisclosure to the certificate of such decree and forward it with the certificate to the State Registrar.

B. The State Registrar, upon receipt of a certificate of a decree of adoption, shall prepare a supplementary birth certificate

in the new name of the adopted person with the names of the adoptive parents listed as the parents. The city and county of the place of birth, the hospital, and the name of the physician shall not be changed from the information provided on the original certificate of birth. If the adopted person was born in a foreign country, the State Registrar shall prepare a certificate of foreign birth.

C. The State Registrar shall seal and file the original certificate of birth, if any, with the certificate of decree of adoption and the affidavit of nondisclosure, if any, attached. Upon receipt of a certificate of a court order of annulment of adoption, the State Registrar shall restore the original certificate to its original place in the files.

D. For adoptions finalized after November 1, 1997, the State Registrar shall provide an adopted person, at that person's request, with ~~an uncertified copy of~~ the person's original certificate of birth at any time after the adopted person's eighteenth birthday, if all of the following conditions are met:

1. The adopted person has submitted satisfactory proof of identity;

2. The adopted person has submitted an affidavit in which the adopted person states under oath that such person does not have a biological sibling under the age of eighteen (18) who is currently in an adoptive family and whose location is known to the adopted person; and

3. The State Registrar has ascertained that at the time of the request there is no unrevoked affidavit of nondisclosure by a biological parent on file. However, if an unrevoked affidavit of nondisclosure from only one biological parent is on file and the other conditions have been met, the State Registrar may release to the adopted person an uncertified copy of the person's original certificate of birth after deleting from that copy of the birth certificate any identifying information regarding the biological

parent who filed the unrevoked affidavit of nondisclosure, including, if necessary, the original surname of the adopted person.

E. The State Registrar shall not disclose an original certificate of birth or other sealed adoption records, except as permitted by subsection D of this section, or upon order of the court for good cause shown pursuant to Section 7505-1.1 of this title.

SECTION 2. This act shall become effective November 1, 2005.

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