

HB 1640 -- Birth Certificates

SPONSOR: Schoeller

COMMITTEE ACTION: Voted "do pass by consent" by the Special Committee on Family Services by a vote of 10 to 0.

Currently, after a parent adopts a child, a court establishes a decree of adoption that may or may not state that the adopted child's birth certificate may be changed to replace a birth parent's name with the adoptive parent's name. This bill establishes the Debbi Daniel Law which disallows a court-ordered adoption decree or the adoptive parents' or adoptee's request for a new birth certificate which changes the name of a birth parent following an adoption.

FISCAL NOTE: No impact on state funds in FY 2009, FY 2010, and FY 2011.

PROPOSERS: Supporters say that the bill preserves the integrity of a birth certificate. It allows the birth certificate to remain unchanged when a parent dies and a child is adopted at the request of a family member. The bill will not affect closed adoptions. The removal of a birth parent's name when a stepparent wants to adopt a child after the death of a birth parent removes, in a way, the existence of the deceased parent. If the deceased birth parent's name is removed from the birth certificate, the step grandparents will have more rights to the child than the parents of the deceased parent.

Testifying for the bill were Representative Schoeller; Scott and Marcie Daniel; and Bob and Vicki King.

OPPOSERS: There was no opposition voiced to the committee.