S T A T E   O F   N E W   Y O R K

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537--A

2011-2012 Regular Sessions

I N   S E N A T E

(PREFILED)

January 5, 2011
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Introduced by Sen. KLEIN -- read twice and ordered printed, and when
  printed to be committed to the Committee on Children and Families --
  committee discharged, bill amended, ordered reprinted as amended and
  recommitted to said committee

AN ACT to amend the domestic relations law, in relation to release of a
  non-certified copy of the birth certificate of an adoptive person
  without a court order

  THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

 1   Section 1. Section 114 of the domestic relations law is amended by
 2 adding a new subdivision 5 to read as follows:
 3   5. AN ADOPTIVE PERSON WHO HAS REACHED THE AGE OF EIGHTEEN MAY HAVE
 4 ACCESS TO A NON-CERTIFIED COPY OF THEIR ORIGINAL BIRTH CERTIFICATE, IF
 5 AVAILABLE, WITHOUT THE NECESSITY OF OBTAINING A COURT ORDER. UPON APPLI-
 6 CATION TO SUCH COURT, THE COURT SHALL RELEASE A NON-CERTIFIED COPY OF
 7 SUCH BIRTH CERTIFICATE TO SUCH ADOPTIVE PERSON UPON PROOF TO THE COURT
 8 IN WHICH AN ORDER WAS GRANTED THAT THE ADOPTED PERSON AND HIS OR HER
 9 BIRTH PARENTS HAVE REGISTERED WITH THE STATE ADOPTION INFORMATION REGIS-
10 TRY PURSUANT TO SECTION FORTY-ONE HUNDRED THIRTY-EIGHT-C OF THE PUBLIC
11 HEALTH LAW AND HAVE CONSENTED TO THE RELEASE OF THE IDENTIFYING INFORMA-
12 TION. IF ONLY ONE BIOLOGICAL PARENT EXECUTED THE SURRENDER AGREEMENT OR
13 CONSENTED TO THE ADOPTION, THEN THE REGISTRATION OF THE OTHER BIOLOGICAL
14 PARENT IN SAID REGISTRY SHALL NOT BE NECESSARY FOR THE RELEASE OF SUCH
15 BIRTH CERTIFICATE PURSUANT TO THIS SUBDIVISION.
16   S 2. This act shall take effect one year after it shall have become a
17 law, provided, that, effective immediately, any rules and regulations
18 necessary to implement the provisions of this act on its effective date
19 are authorized and directed to be amended, added and/or repealed on or
20 before such date.

      EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
                      [ ] is old law to be omitted.
                                                        LBD04344-04-1