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

875

2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. WEPRIN -- read once and referred to the Committee on Judiciary

AN ACT to amend the public health law, in relation to the release of a non-certified copy of the birth certificate of an adoptee without a court order

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

Section 1. Subdivision 5 of section 4138-c of the public health law is amended by adding a new paragraph (c) to read as follows:

(C) IF THE DEPARTMENT DETERMINES THAT THERE IS A CORRESPONDING REGISTRATION FOR THE ADOPTEE AND FOR EITHER OF THE BIRTH PARENTS, AND EACH HAS CONSENTED TO THE RELEASE OF IDENTIFYING INFORMATION ABOUT THE BIRTH PARENTS AND THE ADOPTEE, RESPECTIVELY, THE DEPARTMENT SHALL NOTIFY THE COURT WHEREIN THE ADOPTION OCCURRED THAT A NON-CERTIFIED COPY OF THE ADOPTEE'S ORIGINAL BIRTH CERTIFICATE, IF AVAILABLE, SHALL BE PROMPTLY RELEASED TO THE ADOPTEE WITHOUT NECESSITY OF A COURT ORDER. PROVIDED, THAT IF ONLY ONE BIRTH PARENT EXECUTED THE SURRENDER AGREEMENT OR CONSENTED TO THE ADOPTION, THEN THE REGISTRATION OF THE OTHER BIRTH PARENT IN THE REGISTRY SHALL NOT BE NECESSARY FOR THE RELEASE OF SUCH A BIRTH CERTIFICATE PURSUANT TO THIS PARAGRAPH.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law, provided, that, effective immediately, any rules and regulations necessary to implement the provisions of this act on its effective date are authorized and directed to be amended, added and/or repealed on or before such date.

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

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