

3369

2015-2016 Regular Sessions

I N   A S S E M B L Y

January 22, 2015

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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 ASSEM-  
BLY, DO ENACT AS FOLLOWS:

1     Section 1. Subdivision 5 of section 4138-c of the public health law  
2     is amended by adding a new paragraph (c) to read as follows:  
3     (C) IF THE DEPARTMENT DETERMINES THAT THERE IS A CORRESPONDING REGIS-  
4     TRATION FOR THE ADOPTEE AND FOR EITHER OF THE BIRTH PARENTS, AND EACH  
5     HAS CONSENTED TO THE RELEASE OF IDENTIFYING INFORMATION ABOUT THE BIRTH  
6     PARENTS AND THE ADOPTEE, RESPECTIVELY, THE DEPARTMENT SHALL NOTIFY THE  
7     COURT WHEREIN THE ADOPTION OCCURRED THAT A NON-CERTIFIED COPY OF THE  
8     ADOPTEE'S ORIGINAL BIRTH CERTIFICATE, IF AVAILABLE, SHALL BE PROMPTLY  
9     RELEASED TO THE ADOPTEE WITHOUT NECESSITY OF A COURT ORDER. PROVIDED,  
10    THAT IF ONLY ONE BIRTH PARENT EXECUTED THE SURRENDER AGREEMENT OR  
11    CONSENTED TO THE ADOPTION, THEN THE REGISTRATION OF THE OTHER BIRTH  
12    PARENT IN THE REGISTRY SHALL NOT BE NECESSARY FOR THE RELEASE OF SUCH A  
13    BIRTH CERTIFICATE PURSUANT TO THIS PARAGRAPH.  
14    S 2. This act shall take effect on the one hundred eightieth day after  
15    it shall have become a law. Effective immediately, any rules and regu-  
16    lations necessary to implement the provisions of this act on its effec-  
17    tive date are authorized to be made 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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