

5169--B

2017-2018 Regular Sessions

I N S E N A T E

March 10, 2017

Introduced by Sens. AVELLA, AKSHAR, ALCANTARA, BAILEY, BROOKS, GOLDEN, HAMILTON, MURPHY, SEWARD, TEDISCO -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Health in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to issuing certified copies of original long form birth certificates to adoptees

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

- 1 Section 1. Section 4174 of the public health law is amended by adding
2 a new subdivision 10 to read as follows:
3 10. (A) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE COMMISSIONER,
4 OR ANY PERSON AUTHORIZED BY HIM OR HER, SHALL ISSUE CERTIFIED COPIES OF
5 ORIGINAL LONG FORM BIRTH CERTIFICATES UPON SPECIFIC REQUEST THEREFOR (I)
6 BY AN ADOPTEE, IF EIGHTEEN YEARS OF AGE OR MORE, OR (II) IF THE ADOPTEE
7 IS DECEASED, BY THE ADOPTEE'S DIRECT LINE DESCENDANTS, OR (III) BY
8 LAWFUL REPRESENTATIVES OF SUCH ADOPTEE, OR LAWFUL REPRESENTATIVES OF
9 SUCH DECEASED ADOPTEE'S DIRECT LINE DESCENDENTS, AS THE CASE MAY BE, OR
10 (IV) AUTHORIZED REPRESENTATIVES OF A LOCAL SOCIAL SERVICES DISTRICT IF
11 THE ADOPTEE IS IN THE CARE AND CUSTODY OR CUSTODY AND GUARDIANSHIP OF
12 SUCH DISTRICT.
13 (B) THE COMMISSIONER SHALL ISSUE A CERTIFIED COPY OF THE ORIGINAL LONG
14 FORM BIRTH CERTIFICATE WITHIN FORTY-FIVE DAYS AFTER RECEIPT OF SUCH
15 REQUEST.
16 (C) THE DEPARTMENT SHALL DEVELOP POLICIES AND PROCEDURES NECESSARY TO
17 IMPLEMENT THIS SUBDIVISION BY FEBRUARY FIRST, TWO THOUSAND NINETEEN.
18 (D) THE DEPARTMENT MAY CHARGE A FEE FOR ISSUING SUCH CERTIFIED COPY OF
19 AN ORIGINAL LONG FORM BIRTH CERTIFICATE. THE FEE MAY NOT EXCEED THE FEE

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

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1 FOR A CERTIFIED COPY OF AN ORIGINAL LONG FORM BIRTH CERTIFICATE AS
2 PROVIDED FOR IN SUBDIVISION TWO OF THIS SECTION.

3 (E) FOR PURPOSES OF THIS SUBDIVISION:

4 (I) THE TERM "COMMISSIONER" SHALL INCLUDE THE COMMISSIONER OF HEALTH
5 AND MENTAL HYGIENE OF THE CITY OF NEW YORK AND FOR RECORDS OF BIRTH
6 PRIOR TO JANUARY 1, 1914, THE LOCAL REGISTRARS OF THE CITIES OF ALBANY,
7 BUFFALO AND YONKERS; AND

8 (II) THE TERM "DEPARTMENT" SHALL INCLUDE THE DEPARTMENT OF HEALTH AND
9 MENTAL HYGIENE OF THE CITY OF NEW YORK AND, FOR RECORDS OF BIRTH PRIOR
10 TO JANUARY 1, 1914, THE OFFICE OF VITAL STATISTICS OF THE CITY OF ALBA-
11 NY, THE OFFICE OF VITAL RECORDS OF THE CITY OF BUFFALO AND THE OFFICE OF
12 CLERK OF THE CITY OF YONKERS.

13 S 2. This act shall take effect August 1, 2018.