

SB 573 A STAFF MEASURE SUMMARY

House Committee On Early Childhood and Human Services

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Meeting Dates: 4/24, 5/8

WHAT THE MEASURE DOES:

Allows original birth record for person aged 21 or older that was sealed and reopened by adoption registry to be amended to add or change name of biological parent if paternity or parentage is later determined. Specifies requirements for person to apply to Center for Health Statistics to amend record. Provides that amended birth records do not establish parental rights or have any other legal effect and requires notification thereof on all noncertified copies. Directs Center for Health Statistics to adopt rules regarding fees and documentation necessary to establish parentage. Applies to all original birth records reopened by adoption registry before, on, or after effective date.

REVENUE: No revenue impact

FISCAL: Has minimal fiscal impact

SENATE VOTE: Ayes, 28; Nays, 1; Excused, 1

ISSUES DISCUSSED:

- Experiences of adoptees
- Discovery of previously unknown biological parentage
- Laws regulating amendment of birth records of adoptees
- Significance of original birth records
- Consent of biological or adoptive parents to alter birth record
- Age limit to apply for amended birth record
- Privacy of anonymous sperm and egg donors

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

The Center for Health Statistics within the Oregon Health Authority retains certain personal records and vital statistics for Oregon's population in order to provide accurate data and reporting on patterns in births, deaths, marriages, divorces, and other affairs. Records of live birth, commonly called birth certificates, are created and reported to the Center by county governments when infants are born or become known. Birth records generally include a child's parentage to the extent it is known. In adoption cases, a court will issue a report to the Center to be attached to the child's birth record, which allows the Center to amend the birth record to reflect the adoption. When this happens, the original birth record is sealed and may only be opened by court order or by request of an agency operating a voluntary adoption registry (ORS 432.245 to 432.250). Adoptees 21 and older may apply to the Center to receive an original, unaltered copy of their birth record along with information regarding their birth parents' contact preferences. If the person's parentage was unknown at the time their birth record was created, that will be reflected in the original birth record. However, recent advancements in biological testing of a person's DNA (deoxyribonucleic acid) to establish ancestry has enabled adoptees to learn more about their parentage than was known at the time their birth records were created.

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Senate Bill 573 A allows a person to request to add their biological parent's name to their birth record when parentage is determined by DNA testing or other means and to request a noncertified copy of the record.

PRELIMINARY