

Senate Bill 1523

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SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act allows an adult who applies to a state agency to access a sealed original birth record to ask the state agency to add or change the name of a biological parent. Takes effect when the Governor signs it. (Flesch Readability Score: 60.1).

Allows a person at least 21 years of age who opens a sealed original record of live birth via an application to apply to the Center of Health Statistics to add or change the name of a biological parent on the original record of live birth.

Declares an emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to records of live birth; creating new provisions; amending ORS 432.253; and declaring an
3 emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 432.253 is amended to read:

6 432.253. (1) If an original record of live birth for a person at least 21 years of age was sealed
7 under ORS 432.245 and was later opened under ORS **432.228** or 432.250, and the paternity or par-
8 entage of the person has been determined by DNA (deoxyribonucleic acid) testing or by other means,
9 the person may apply to the Center for Health Statistics to add or change the name of a biological
10 parent on the original record of live birth.

11 (2) An application under this section must include:

12 (a) Evidence of a DNA test or other evidence that shows that the person whose name is to be
13 entered as a biological parent is the biological parent of the applicant; and

14 (b)(A) If the person whose name is to be entered as a biological parent is living, an affidavit
15 attesting that the person is a biological parent of the applicant and that the name to be entered is
16 that of the biological parent that was omitted from the original record of live birth; or

17 (B) If the person whose name is to be entered as a biological parent is deceased, an affidavit
18 from the personal representative or a relative of the person attesting that the person is a biological
19 parent of the applicant and that the name to be entered is that of the biological parent that was
20 omitted from the original record of live birth.

21 (3) If the name of a biological parent is entered on an original record of live birth under this
22 section:

23 (a) A person may only obtain a noncertified copy of a record of live birth amended under this
24 section.

25 (b) A notation indicating that the record was amended must be shown on all copies of the re-
26 cord.

27 (c) The center shall prominently display the following language on all copies of the record:

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 “THIS RECORD OF LIVE BIRTH MAY NOT BE USED FOR ANY LEGAL PURPOSE AND DOES
2 NOT CREATE ANY LEGAL RIGHTS FOR THE CHILD OR THE PARENTS LISTED ON THE
3 RECORD.”

4 (4) The center shall adopt rules regarding:

5 (a) The establishment and collection of fees for the preparation and registration of an amended
6 original record of live birth and for the issuance of a noncertified copy of an amended original re-
7 cord of live birth under this section.

8 (b) Consent and affidavit forms, proof of identification requirements and the evidentiary re-
9 quirements to substantiate that a person is an omitted biological parent of an applicant under this
10 section.

11 **SECTION 2. The amendments to ORS 432.253 by section 1 of this 2024 Act apply to ori-
12 ginal records of live birth opened under ORS 432.228 or 432.250 before, on or after the effec-
13 tive date of this 2024 Act.**

14 **SECTION 3. This 2024 Act being necessary for the immediate preservation of the public
15 peace, health and safety, an emergency is declared to exist, and this 2024 Act takes effect
16 on its passage.**

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