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1 IN THE HOUSE

2 SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 621 am

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act providing for the issuance of certificates of
7 birth for persons born outside the United States and
8 adopted by Alaska residents."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 * Section 1. AS 18.50.210(a) is amended to read:

11 (a) For each adoption decreed by a court in the state, the court
12 shall require the preparation of a report of adoption on a form pre-
13 scribed and furnished by the bureau. The report shall include the facts
14 necessary to locate and identify the original certificate of birth,
15 if any, of the person adopted. If the person being adopted was born in
16 the state, the report[;] shall provide information necessary to establish
17 a new certificate of birth. If the person being adopted was born outside
18 the United States, the report shall provide findings, if requested by the
19 adoptive parents, or other information necessary to establish a certi-
20 ficat of birth. The report [OF THE PERSON ADOPTED; AND] shall identify
21 the order of adoption, and be certified by the court or the clerk.

22 * Sec. 2. AS 18.50.210(e) is amended to read:

23 (e) When the bureau receives a report of an adoption, or vacation
24 or amendment of an adoption from a court for a person born in the United
25 States but outside the state, a copy shall be made for the bureau's
26 files and the original shall be forwarded to the appropriate registration
27 authority in the state of birth.

28 * Sec. 3. AS 18.50 is amended by adding a new section to read:

29 Sec. 18.50.211. CERTIFICATE OF BIRTH FOR FOREIGN-BORN ADOPTED

1 PERSON. (a) Subject to the limitation in (b) of this section, the
2 state registrar shall issue a certificate of birth for a person born
3 outside the United States whose adoptive parents are residents of the
4 state at the time of the adoption, upon request by the adopted person,
5 his adoptive parent, or guardian that the certificate be made, and upon
6 receipt of an adoption report as provided in AS 18.50.210 together with

7 (1) the information necessary to identify the original cer-
8 tificate of birth; or

9 (2) if there is no original certificate of birth, the findings
10 of the court under AS 20.15.170(b), unless the adoption proceeding is
11 commenced before the effective date of this section, in which case an
12 affidavit of an adoptive parent setting out the true or probable date
13 and place of birth and parentage of the adopted person must accompany
14 the adoption report.

15 (b) The state registrar may not issue a certificate of birth under
16 this section if the adopted person for whom the certificate is intended
17 is 18 or more years of age at the time the request for the certificate
18 is made.

19 (c) A certificate of birth issued under this section shall be in a
20 form prescribed by the state registrar and shall state that it is not
21 evidence of United States citizenship.

22 (d) Upon proof of naturalization an amended certificate of birth
23 shall be issued under this section that deletes the statement that the
24 certificate is not evidence of United States citizenship.

25 * Sec. 4. AS 18.50.290(c) is amended to read:

26 (c) Upon receipt of a certified copy of a court order changing the
27 name of a person born in the state or a person born outside the United
28 States whose adoptive parents are residents of the state at the time
29 of the adoption and upon request of the person or his parent, guardian,

1 or legal representative, the state registrar shall amend the certificate
2 of birth to reflect the new name.

3 * Sec. 5. AS 20.15.170 is amended to read:

4 Sec. 20.15.170. BIRTH CERTIFICATES. (a) Within 30 days after an
5 adoption decree becomes final, the clerk of the court shall, if re-
6 quested by the adoptive parents, prepare an application for a birth
7 certificate in the name of the adopted person and forward the appli-
8 cation

9 (1) for a person born in the United States, to the appropri-
10 ate vital statistics office of the place, if known, where the adopted
11 person was born and forward a copy of the decree to the department for
12 statistical purposes; and

13 (2) for a person born outside the United States to the state
14 registrar of vital statistics.

15 (b) In the case of the adoption of a person born outside the United
16 States, if requested by the adoptive parents, the court shall make find-
17 ings, based on evidence from the petitioner and other reliable state or
18 federal sources, on the date and place of birth and parentage of the
19 adopted person. These findings shall be certified by the court and in-
20 cluded with the report of adoption filed with the state registrar of
21 vital statistics in accordance with AS 18.50.210.

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