



LAWS OF ALASKA

1982

Source

SCS SSHB 621 (Jud)

Chapter No.

76

AN ACT

Providing for the issuance of certificates of birth for persons born outside the United States and adopted by Alaska residents.

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

THE ACT FOLLOWS ON PAGE 1, LINE 10

UNDERLINED MATERIAL INDICATES TEXT THAT IS BEING ADDED TO THE LAW AND BRACKETED MATERIAL IN CAPITAL LETTERS INDICATES DELETIONS FROM THE LAW; COMPLETELY NEW TEXT OR MATERIAL REPEALED AND RE-ENACTED IS IDENTIFIED IN THE INTRODUCTORY LINE OF EACH BILL SECTION.

Approved by the Governor: June 2, 1982
Actual Effective Date: August 31, 1982

AN ACT

Providing for the issuance of certificates of birth for persons born outside the United States and adopted by Alaska residents.

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

(a) For each adoption decreed by a court in the state, the court shall require the preparation of a report of adoption on a form prescribed and furnished by the bureau. The report shall include the facts necessary to locate and identify the original certificate of birth, if any, of the person adopted. If the person being adopted was born in the state, the report[;] shall provide information necessary to establish a new certificate of birth. If the person being adopted was born outside the United States, the report shall provide findings, if requested by the adoptive parents, or other information necessary to establish a certificate of birth. The report [OF THE PERSON ADOPTED; AND] shall identify the order of adoption, and be certified by the court or the clerk.

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

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

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

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

Chapter 76

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 or by the adopted person's adoptive parent or guardian that the certifi-
6 cate be made, and upon receipt of an adoption report as provided in
7 AS 18.50.210 together with

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

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

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

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

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

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

27 (c) Upon receipt of a certified copy of a court order changing the
28 name of a person born in the state or a person born outside the United
29 States whose adoptive parents are residents of the state at the time

1 of the adoption and upon request of the person or the person's [HIS]
2 parent, guardian, or legal representative, the state registrar shall
3 amend the certificate of birth to reflect the new name.

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

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

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

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

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