

1 H.670

2 Introduced by Representative Masland of Thetford

3 Referred to Committee on

4 Date:

5 Subject: Health; births, marriages, and deaths; birth records

6 Statement of purpose of bill as introduced: This bill proposes to conform a
7 certificate of birth for a foreign-born child adopted in Vermont to the
8 requirements of federal law by eliminating the statement on the certificate that
9 it is not evidence of U.S. citizenship.

10 An act relating to a certificate of birth for a foreign-born child adopted in
11 Vermont

12 It is hereby enacted by the General Assembly of the State of Vermont:

13 Sec. 1. 18 V.S.A. § 5078a is amended to read:

14 § 5078a. BIRTH CERTIFICATE FOR FOREIGN-BORN CHILD ADOPTED

15 IN VERMONT

16 (a) The ~~supervisor of vital records registration~~ Supervisor of Vital Records

17 Registration shall establish a Vermont birth certificate for a person born in a

18 foreign country when the ~~supervisor~~ Supervisor receives:

19 (1) a written request that a new certificate be established;

20 (A) from the adopted person if 18 years or older; or

1 (B) from the adoptive parent or parents if the adopted person is under
2 18 years of age; and

3 (2) a record of adoption issued under the provisions of ~~15 V.S.A. § 449~~
4 15A V.S.A. § 3-801.

5 (b) The new Vermont birth certificate shall be on a form prescribed by the
6 ~~commissioner of health~~ Commissioner of Health. The new birth certificate
7 shall include:

8 (1) the true or probable foreign country of birth and true or probable
9 date of birth;

10 (2) the adoptive parents as though they were natural parents; and

11 (3) a notation that it was issued by authority of this chapter;

12 ~~(4) a statement that the certificate is not evidence of United States~~
13 citizenship.

14 (c) The new birth certificate shall not contain a statement whether the
15 adopted person was illegitimate.

16 (d) Birth certificates established under this section shall remain on file only
17 at the ~~department of health~~ Department of Health.

18 (e) Papers relating to the adoption shall be filed in accordance with the
19 provisions of ~~15 V.S.A. § 451~~ 15A V.S.A. § 3-802.

20 (f) An individual who satisfied the requirements of 8 U.S.C. § 1431
21 (children born outside the United States and residing permanently in the United

1 States; conditions under which citizenship automatically acquired) and
2 8 U.S.C. § 1101(b)(1) (aliens and nationality definitions) on or after
3 February 27, 2001, may apply to the Probate Division of the Superior Court in
4 the county in which his or her birth certificate was issued by the State of
5 Vermont to amend the certificate in conformity with the requirements of
6 subsection (b) of this section.

7 Sec. 2. EFFECTIVE DATE

8 This act shall take effect on July 1, 2014.