

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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SENATE BILL 248
PROPOSED COMMITTEE SUBSTITUTE S248-PCS45388-BB-16

Short Title: Birth Certificates for Persons Adopted.

(Public)

Sponsors:

Referred to:

March 10, 2025

A BILL TO BE ENTITLED
AN ACT TO MAKE ACCESS TO NEW BIRTH CERTIFICATES FOR PERSONS ADOPTED
SIMILAR TO PERSONS THAT ARE NOT ADOPTED.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 48-9-107 reads as rewritten:

"§ 48-9-107. New birth certificates.

(a) Upon receipt of a report of the adoption of a minor from the Division, or the documents required by G.S. 48-9-102(g) from the clerk of superior court in the adoption of an adult, or a report of an adoption from another state, the State Registrar shall prepare a new birth certificate for the adoptee that shall contain the adoptee's full adoptive name, sex, state of birth, and date of birth; the full name of the adoptive father, if applicable; the full maiden name of the adoptive mother, if applicable; and any other pertinent information consistent with this section as may be determined by the State Registrar. The new certificate shall contain no reference to the adoption of the adoptee and shall not refer to the adoptive parents in any way other than as the adoptee's parents.

(b) In an adoption by a stepparent, the State Registrar shall prepare a new birth certificate pursuant to subsection (a) of this section except:

- (1) The adoptive parent and the parent whose relation with the adoptee remains unchanged shall be listed as the adoptee's mother and father on the new birth certificate; and
- (2) The city and county of birth of the adoptee shall be the same on the new birth certificate as on the original certificate.

The names of the adoptee's parents shall not be changed as provided in subdivision (1) of this subsection if the petitioner, the petitioner's spouse, the adoptee if age 12 or older, and any living parent whose parental rights are terminated by the adoption jointly file a request that the parents' names not be changed with the court prior to the entry of the adoption decree. The Division shall send a copy of this request with its report to the State Registrar or other appropriate official in the adoption of a minor stepchild, and the clerk of superior court shall send a copy with the documents required by G.S. 48-9-102(g) in the adoption of an adult stepchild.

(c) The State Registrar shall seal the original certificate of birth and all records in the possession of that office pertaining to the adoption. These records shall not be unsealed except as provided in this Article. ~~The State Registrar shall provide certified typed copies or abstracts of the new certificate of birth of an adoptee prepared pursuant to subsection (a) of this section to the adoptee, the adoptee's children, the adoptive parents, and the adoptee's spouse, brothers, and sisters. For purposes of this subsection, "parent", "brother", and "sister" shall mean the adoptee's adoptive parent, brother, or sister and shall not mean a former parent, brother, or sister.~~



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(d) At the time of preparing the new birth certificate pursuant to subsection (a) or (b) of this section, the State Registrar shall notify the register of deeds or appropriate official in the health department in the county of the adoptee's birth to remove the adoptee's birth certificate from the records and forward it to the State Registrar for retention under seal with the original certificate of birth in the State Registrar's office. The register of deeds shall also delete all index entries for that birth certificate. ~~The State Registrar shall not issue copies of birth certificates for adoptees to registers of deeds. Only the State Registrar shall issue certified copies of such records, and these copies shall be prepared as prescribed in subsection (e) of this section.~~ The State Registrar shall provide registers of deeds with access to adoptee birth certificates in the electronic birth registration system so that registers of deeds may issue certified copies or abstracts in accordance with subsection (d1) of this section.

(d1) The State Registrar or register of deeds in the county of the adoptee's birth shall provide certified typed copies or abstracts of the new certificate of birth of an adoptee prepared pursuant to subsection (a) or (b) of this section to the adoptee, the adoptee's children, the adoptive parents, and the adoptee's spouse, brothers, and sisters upon their request. For purposes of this subsection, "parent," "brother," and "sister" shall mean the adoptee's adoptive parent, brother, or sister and shall not mean a former parent, brother, or sister.

(d2) If a register of deeds receives a request pursuant to subsection (d1) of this section for an adoptee birth certificate for a person born in their county and that record has not been digitized in the electronic birth registration system, the register of deeds may request that the State Registrar digitize the record. The State Registrar shall fulfill these requests within two business days.

(e) The State Registrar may by rule prescribe requirements for reports of adoptions from other states.

(f) Registers of deeds shall not add adoptee birth certificates to their files or indexes.

(g) Adoptee birth certificates shall not be open to inspection or examination under G.S. 130A-99.

(h) The State Registrar shall not charge any fee under G.S. 130A-93.1(a)(1) to a register of deeds who issues an adoptee birth certificate for a person born in their county pursuant to subsection (d1) of this section.

(i) Registers of deeds and their staff who issue certified copies of adoptee birth certificates as provided in subsection (d1) of this section shall complete annual training provided by the State Registrar on adoptee information privacy."

SECTION 2. G.S. 130A-99 reads as rewritten:

"§ 130A-99. Register of deeds to preserve copies of birth and death records.

(a) Except as provided for in G.S. 48-9-107, all of the following apply:

(1) The register of deeds of each county shall file and preserve the copies of birth and death certificates furnished by the local registrar under the provisions of G.S. 130A-97, and shall make and keep a proper index of the certificates.

(2) These certificates shall be open to inspection and examination.

(3) Copies or abstracts of these certificates shall be provided to any person upon request.

(4) Certified copies of these certificates shall be provided only to those persons described in G.S. 130A-93(c).

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SECTION 3. This act becomes effective January 1, 2026, and applies to adoptee birth certificates available in the electronic birth registration system before, on, or after that date.