



# HOUSE BILL 823: Adult Adoptee/Access Original Birth Cert.

2017-2018 General Assembly

<b>Committee:</b>	House Rules, Calendar, and Operations of the House	<b>Date:</b>	April 27, 2017
<b>Introduced by:</b>	Reps. Hurley, Faircloth	<b>Prepared by:</b>	Kara McCraw Staff Attorney
<b>Analysis of:</b>	Second Edition		

**OVERVIEW:** *HB 823 would authorize an adoptee age 40 or older, to receive a copy of the adoptee's original birth certificate with proof of the name of a biological parent.*

**CURRENT LAW:** Article 9 of Chapter 48 of the General Statutes establishes the confidentiality of records and disclosure of information related to adoptions. G.S 48-9-107 requires the State Registrar to prepare a new birth certificate for adoptees that 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. G.S. 48-9-106 allows the State Registrar to release the adoptee's original birth certificate only upon receipt of a certified copy of a court order issued pursuant to G.S. 48-9-105 authorizing the release of an adoptee's original certificate of birth. G.S. 48-9-105 provides a process for an individual to see an action before the court for release of either identifying or other nonidentifying information.

**BILL ANALYSIS:** HB 823 would allow another method for seeking an original birth certificate by an adoptee other than through a court order. An adoptee who is at least 40 year old could request a copy of the adoptee's original birth certificate from the State Registrar as follows:

- If the adoptee had proof of the names of both biological parents, the State Registrar would provide a copy of the original birth certificate.
- If the adoptee had proof of the name of one biological parent, the State Registrar would provide a copy of the original birth certificate with the name of the other parent redacted.

The State Registrar would prescribe a reasonable procedure for verifying the identity, age, or other relevant characteristics of an adult adoptee applying for a copy of the adoptee's original birth certificate. The same fees would be charged as for issuance of a certified copy of a certificate of birth.

**EFFECTIVE DATE:** HB 823 would become effective when it becomes law and apply to applications made on or after that date.

Karen Cochrane-Brown  
Director



Legislative Analysis  
Division  
919-733-2578