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SENATE BILL DRS45130-NJ-7

Short Title: Birth Certificates for Persons Adopted. (Public)

Sponsors: Senators Johnson, Lazzara, and Daniel (Primary Sponsors).

Referred to:

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 and county registers of deeds may~~ 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",



1 and "sister" shall mean the adoptee's adoptive parent, brother, or sister and shall not mean a
2 former parent, brother, or sister.

3 (d) At the time of preparing the new birth certificate pursuant to subsection (a) of this
4 section, the State Registrar shall notify the register of deeds or appropriate official in the health
5 department in the county of the adoptee's birth to remove the adoptee's birth certificate from the
6 records and forward it to the State Registrar for retention under seal with the original certificate
7 of birth in the State Registrar's office. The register of deeds shall also delete all index entries for
8 that birth certificate. The State Registrar shall ~~not~~ issue copies of new birth certificates for
9 adoptees to registers of deeds. Only the deeds in the county of the adoptee's birth. This copy shall
10 replace the adoptee's original birth certificate. Upon request, the State Registrar shall ~~may~~ issue
11 certified copies of such records, and these copies shall be prepared as prescribed in subsection
12 (c) of this section.

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

15 **SECTION 2.** This act becomes effective October 1, 2025, and is intended to apply
16 to new birth certificates of persons adopted before, on, or after that date.