

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Judiciary to which was referred Senate Bill No. 28  
3 entitled “An act relating to gender-neutral nomenclature for the identification  
4 of parents on birth certificates” respectfully reports that it has considered the  
5 same and recommends that the House propose to the Senate that the bill be  
6 amended as follows:

7 First: In Sec. 1, 18 V.S.A. § 5071, in subsection (a), in the first new  
8 sentence, after “a parent of the child” and before “shall file” insert or a legal  
9 guardian of a mother under 18 years of age  
10 and in subsection (b), by striking out subdivision (2) in its entirety and by  
11 striking out the subdivision (1) designation  
12 and by striking out subsection (e) in its entirety and inserting in lieu thereof the  
13 following:

14 (e) When a birth certificate is issued, a parent or parents shall be identified  
15 with gender-neutral nomenclature.

16 Second: By striking out Sec. 5 in its entirety and inserting in lieu thereof  
17 three new sections to read as follows:

18 Sec. 5. 18 V.S.A. § 5078 is amended to read:

19 § 5078. ADOPTION; NEW BIRTH CERTIFICATE

20 (a) The ~~supervisor of vital records registration~~ Supervisor of Vital Records  
21 Registration shall establish a new birth certificate for a person born in the ~~state~~

1     ~~State~~ when the ~~supervisor~~ Supervisor receives a record of adoption as provided  
2     in 15 V.S.A. § 449 or a record of adoption prepared and filed in accordance  
3     with the laws of another state or foreign country.

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

7           (1) the actual place and date of birth;

8           (2) the date of the filing of the original birth certificate; and

9           (3) the adoptive parents as though they were natural parents;

10          ~~(3) a notation that it was issued by authority of this chapter.~~

11          (c) The new birth certificate shall not contain a statement whether the  
12     adopted person was illegitimate and it shall not contain any content or  
13     statement that would distinguish it from any other original certificate of birth.

14          (d) The new certificate, and sufficient information to identify the original  
15     certificate, shall be transmitted to the clerk of the town of birth to be filed  
16     according to the procedures in 15 V.S.A. § 451.

17          (e) The ~~supervisor of vital records registration~~ Supervisor of Vital Records  
18     Registration shall not establish a new birth certificate if the ~~supervisor~~  
19     Supervisor receives, accompanying the record of adoption, a written request  
20     that a new certificate not be established:

21           (1) from the adopted person if 18 years of age or older; or

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

3           (f) When the ~~supervisor of vital records registration~~ Supervisor of Vital  
4           Records Registration receives a record of adoption for a person born in another  
5           state, the ~~supervisor~~ Supervisor shall forward a certified copy of the record of  
6           adoption to the state registrar in the state of birth, with a request that a new  
7           birth certificate be established under the laws of that state.

8           Sec. 6. DEPARTMENT OF HEALTH REPORT; CERTIFIED COPIES OF  
9                            BIRTH AND DEATH RECORDS

10           On or before January 15, 2015, the Commissioner of Health shall submit to  
11           the House and Senate Committees on Judiciary and the House and Senate  
12           Committees on Government Operations recommended requirements for the  
13           issuance of certified birth and death certificates in the State in a manner that  
14           complies with the generally accepted, national standards for the issuance of  
15           certified copies of birth and death certificates and that reduces the portential  
16           for identity theft. The recommendations shall include:

- 17                   (1) persons to whom a certified birth or death certificate may be issued;  
18                   (2) application requirements for a birth or death certificate;  
19                   (3) requirements for the custodians of certified birth or death  
20           certificates;

1           (4) proposed legislative changes necessary to implement any  
2           recommendation; and

3           (5) any other information that the Commissioner determines is relevant.

4           Sec. 7. EFFECTIVE DATE

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

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10           (Committee vote: \_\_\_\_\_)

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Representative \_\_\_\_\_

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FOR THE COMMITTEE