

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   2nd Session of the 58th Legislature (2022)

4 HOUSE BILL 3330

                                  By: Fetgatter

7                                   AS INTRODUCED

8                   An Act relating to foreign adoptions; amending 10  
9                   O.S. 2021, Section 7505-6.6, which relates to  
10                  documentation provided in adoptions; providing  
                    certain standards for birth certificates; authorizing  
                    agency rulemaking; and providing an effective date.

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13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14           SECTION 1.           AMENDATORY           10 O.S. 2021, Section 7505-6.6, is  
15 amended to read as follows:

16           Section 7505-6.6 A. 1. For each adoption or annulment of  
17 adoption, the attorney or child-placing agency handling the adoption  
18 or annulment of adoption shall prepare and the clerk of the court  
19 shall certify, within thirty (30) days after the decree becomes  
20 final, a certificate of such decree on a form furnished by the State  
21 Registrar of Vital Statistics.

22           2. Before the fifteenth day of each calendar month, the  
23 attorney or child-placing agency handling the adoption or annulment  
24 of adoption shall forward to the State Registrar the certificates

1 prepared by the attorney or agency handling the adoption or  
2 annulment of adoption during the preceding calendar month. If a  
3 biological parent has filed an affidavit of nondisclosure pursuant  
4 to Section 7503-2.5 of this title, the attorney or agency handling  
5 the adoption shall attach the affidavit of nondisclosure to the  
6 certificate of such decree and forward it with the certificate to  
7 the State Registrar.

8 B. The State Registrar, upon receipt of a certificate of a  
9 decree of adoption, shall prepare a supplementary birth certificate  
10 in the new name of the adopted person with the names of the adoptive  
11 parents listed as the parents. The city and county of the place of  
12 birth, the hospital, and the name of the physician shall not be  
13 changed from the information provided on the original certificate of  
14 birth. If the adopted person was born in a foreign country, the  
15 State Registrar shall prepare a certificate of foreign birth. In  
16 adoptions where the adopted child's United States citizenship status  
17 is not in question, such as where the adoptive parents present a  
18 Certificate of Citizenship from the U.S. Citizenship and Immigration  
19 Services, the State Department of Health shall issue a certificate  
20 of foreign birth without language which may place the child's  
21 citizenship status into question. The State Department of Health  
22 shall promulgate rules which reflect this subsection in the Oklahoma  
23 Administrative Code and make any internal policy changes to reflect  
24 this subsection.

1 C. The State Registrar shall seal and file the original  
2 certificate of birth, if any, with the certificate of decree of  
3 adoption and the affidavit of nondisclosure, if any, attached. Upon  
4 receipt of a certificate of a court order of annulment of adoption,  
5 the State Registrar shall restore the original certificate to its  
6 original place in the files.

7 D. For adoptions finalized after November 1, 1997, the State  
8 Registrar shall provide an adopted person, at that person's request,  
9 with an uncertified copy of the person's original certificate of  
10 birth at any time after the adopted person's eighteenth birthday, if  
11 all of the following conditions are met:

12 1. The adopted person has submitted satisfactory proof of  
13 identity;

14 2. The adopted person has submitted an affidavit in which the  
15 adopted person states under oath that such person does not have a  
16 biological sibling under the age of eighteen (18) who is currently  
17 in an adoptive family and whose location is known to the adopted  
18 person; and

19 3. The State Registrar has ascertained that at the time of the  
20 request there is no unrevoked affidavit of nondisclosure by a  
21 biological parent on file. However, if an unrevoked affidavit of  
22 nondisclosure from only one biological parent is on file and the  
23 other conditions have been met, the State Registrar may release to  
24 the adopted person an uncertified copy of the person's original

1 certificate of birth after deleting from that copy of the birth  
2 certificate any identifying information regarding the biological  
3 parent who filed the unrevoked affidavit of nondisclosure,  
4 including, if necessary, the original surname of the adopted person.

5 E. The State Registrar shall not disclose an original  
6 certificate of birth or other sealed adoption records, except as  
7 permitted by subsection D of this section, or upon order of the  
8 court for good cause shown pursuant to Section 7505-1.1 of this  
9 title.

10 SECTION 2. This act shall become effective November 1, 2022.

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12 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY - CIVIL, dated  
13 02/16/2022 - DO PASS.  
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