

REFERENCE TITLE: adoption; birth certificates..

State of Arizona
Senate
Fifty-sixth Legislature
First Regular Session
2023

SB 1329

Introduced by
Senator Bennett

AN ACT

AMENDING SECTION 36-340, ARIZONA REVISED STATUTES; RELATING TO VITAL RECORDS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 36-340, Arizona Revised Statutes, is amended to
3 read:

4 36-340. Adopted individuals; sealed original birth
5 certificate; contact preference and medical history
6 forms; confidentiality

7 A. ~~From and after December 31, 2021 and except as provided in~~
8 ~~subsection I of this section,~~ The state registrar shall provide to an
9 individual a copy of the individual's original birth certificate that has
10 been sealed due to an adoption and any evidence of the adoption that is
11 held with the original birth certificate, if all of the following are
12 true:

13 1. The individual is at least eighteen years of age.

14 2. The individual was born in this state.

15 3. The individual submits to the state registrar a written request
16 to receive a copy of the original birth certificate.

17 B. The copy of the original birth certificate shall clearly
18 indicate that it is not a certified copy and that it may not be used for
19 legal purposes.

20 C. The fees and procedures that apply to obtaining a copy of a
21 registered certificate apply to obtaining a copy of an original birth
22 certificate pursuant to this section.

23 D. The state registrar shall develop a contact preference form to
24 be filled out by a birth parent, at the birth parent's option, and kept
25 with the original birth certificate as provided in this section. The
26 preference form shall do all of the following:

27 1. Indicate if the birth parent wants to do any of the following:

28 (a) Be contacted by the individual who receives the copy of the
29 original birth certificate. If the birth parent wants to be contacted,
30 the birth parent shall include the birth parent's current name, address
31 and telephone number in addition to any other contact information the
32 birth parent wishes to include.

33 (b) Be contacted only through an intermediary. If the birth parent
34 wants to be contacted through an intermediary, the birth parent shall
35 include the intermediary's name and telephone number.

36 (c) Not be contacted. The form shall indicate that the birth
37 parent may change the contact preference to allow direct contact or
38 contact through an intermediary by filing an amended contact preference
39 form.

40 2. Indicate if the birth parent has completed and filed with the
41 state registrar a medical history form.

42 3. Include the following information:

43 (a) The name of the child on the original birth certificate.

44 (b) The date of birth and sex of the child.

- 1 (c) The city or town, county and name of the hospital in which the
2 child was born.
- 3 (d) The mother's name as shown on the original birth certificate.
- 4 (e) The name of the attorney or agency that placed the child for
5 adoption or that the department placed the child for adoption.
- 6 (f) Whether the person filling out the form is the birth mother or
7 birth father of the child.
- 8 E. The state registrar shall develop a medical history form to be
9 completed by a birth parent at the birth parent's option.
- 10 F. The contact preference form and the medical history form are
11 confidential. If the birth parent files the forms, the state registrar
12 shall seal the forms together and retain them with the original birth
13 certificate. The forms shall be given to the individual who receives the
14 original birth certificate. The state registrar may not keep a copy of
15 the contact preference form or the medical history form.
- 16 G. A birth parent may file an amended contact preference form or
17 medical history form with the state registrar.
- 18 H. The department shall publicize the requirements of this section.
- 19 I. The birth parent may file an amended contact preference form
20 pursuant to subsection D, paragraph 1, subdivision (c) of this section or
21 update the information on the contact preference form by providing the
22 state registrar the amended contact preference form or the new information
23 electronically, in writing or in person.
- 24 ~~J. The state registrar may not provide to an individual a copy of~~
25 ~~the individual's original birth certificate that has been sealed due to an~~
26 ~~adoption, if the individual was born from and after June 20, 1968 and~~
27 ~~before September 29, 2021.~~