

APR 19 1977

HUMAN RESOURCES *Do Pass 5/10 (p. 2100)*

HOUSE FILE 547

House File 547	<i>See Human Resource 5/20</i>	BY BYERLY
Human Resources	HOUSE FILE 547	<i>Pass per 5184</i>
Miller of		<i>2/14 (3/10) 324</i>
Buchanan, chair	Human Resources	
Tofte	Carr, Chairperson	
Anderson	P. Hill	
	Rush	

Passed House, Date 5-20-77 (p. 2628) Passed Senate, Date 2-20-78 (p. 343)

Vote: Ayes 91 Nays 2 Vote: Ayes 43 Nays 0

Approved 3-22-78

Repassed House for Senate amendment 5404
3-6-78 (p. 795)
91-0

A BILL FOR

- 1 An Act relating to birth certificates for adopted persons
- 2 not born in Iowa.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4

HOUSE FILE 547

S-5184

- 1 Amend House File 547 as passed by the House,
- 2 as follows:
- 3 1. Page 2, by striking line 13.

S-5184 FILED- *Adopted 2/20 (p. 343)* BY CHARLES P. MILLER
 FEBRUARY 14, 1978 CHAIRPERSON
 COMMITTEE ON HUMAN RESOURCES

13

SENATE AMENDMENT TO HOUSE FILE 547

H-5404

- 1 Amend House File 547, as passed by the House, as
- 2 follows:
- 3 1. Page 2, by striking line 13.

H-5404 FILED
 RECEIVED FROM SENATE
 FEBRUARY 22, 1978

Have concurred 3/6 (p. 794)

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1 Section 1. Section one hundred forty-four point twenty-
2 three (144.23), Code 1977, is amended by adding the following
3 new unnumbered paragraph:

4 NEW UNNUMBERED PARAGRAPH. The state registrar shall
5 establish a certificate of birth as provided in section six
6 hundred point thirteen (600.13), subsection five (5), of the
7 Code, for any adopted person born in a foreign country which
8 person is a resident of this state, upon receipt of the
9 adoption certificate provided for in section one hundred
10 forty-four point nineteen (144.19) of the Code or upon receipt
11 of a certified copy of the decree of adoption, together with
12 information necessary to establish a new certificate of birth.
13 This certificate of birth, if for an adopted person born in
14 a foreign country, shall show specifically the true or probable
15 country of birth and that the certificate is not evidence
16 of United State's citizenship. However, a new certificate
17 of birth shall not be established if so requested by the court
18 decreeing the adoption, the adoptive parents, or the adopted
19 person.

20 Sec. 2. Section six hundred point thirteen (600.13),
21 subsection five (5), Code 1977, is amended to read as follows:

22 5. An interlocutory or a final adoption decree shall be
23 entered with the clerk of the court. Such decree shall set
24 forth any facts of the adoption petition which have been
25 proven to the satisfaction of the court and any other facts
26 considered to be relevant by the court and shall grant the
27 adoption petition. If so designated in the adoption decree,
28 the name of the adopted person shall be changed by issuance
29 of that decree. The clerk of the court shall, within thirty
30 days of issuance, deliver one certified copy of any adoption
31 decree to the petitioner, one copy of any adoption abstract
32 to the department and any agency or person making an
33 independent placement who placed a minor person for adoption,
34 and one certification of adoption as prescribed in section
35 144.19 to the state registrar of vital statistics. Upon

1 receipt of the certification, the state registrar shall prepare
2 a new birth certificate pursuant to section 144.23 and deliver
3 to the parents named in the decree and any adult person adopted
4 by the decree a copy of the new birth certificate. The parents
5 shall pay the fee prescribed in section 144.46. If the person
6 adopted was born outside the state, the state registrar shall
7 forward the certification of adoption to the appropriate
8 agency in the state or foreign nation of birth. A copy of
9 any interlocutory adoption decree vacation shall be delivered
10 and another birth certificate shall be prepared in the same
11 manner as a certification of adoption is delivered and the
12 birth certificate was originally prepared.

13 Sec. 3. This Act is effective January 1, 1978.

14 EXPLANATION

15 This bill provides a procedure by which an adopted foreign
16 born person who is a resident of Iowa, could obtain a new
17 birth certificate. Under the present Iowa law only Iowa born
18 adopted persons (with a limited exception for Vietnam refugee
19 children) who reside in Iowa can obtain such a certificate.

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HOUSE FILE 547

AN ACT

RELATING TO BIRTH CERTIFICATES FOR ADOPTED PERSONS NOT
BORN IN IOWA.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section one hundred forty-four point twenty-three (144.23), Code 1977, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The state registrar shall establish a certificate of birth as provided in section six hundred point thirteen (600.13), subsection five (5), of the Code, for any adopted person born in a foreign country which person is a resident of this state, upon receipt of the adoption certificate provided for in section one hundred forty-four point nineteen (144.19) of the Code or upon receipt of a certified copy of the decree of adoption, together with information necessary to establish a new certificate of birth. This certificate of birth, if for an adopted person born in a foreign country, shall show specifically the true or probable country of birth and that the certificate is not evidence of United States citizenship. However, a new certificate of birth shall not be established if so requested by the court decreeing the adoption, the adoptive parents, or the adopted person.

Sec. 2. Section six hundred point thirteen (600.13), subsection five (5), Code 1977, is amended to read as follows:

5. An interlocutory or a final adoption decree shall be entered with the clerk of the court. Such decree shall set forth any facts of the adoption petition which have been proven to the satisfaction of the court and any other facts considered to be relevant by the court and shall grant the adoption petition. If so designated in the adoption decree, the name of the adopted person shall be changed by issuance

of that decree. The clerk of the court shall, within thirty days of issuance, deliver one certified copy of any adoption decree to the petitioner, one copy of any adoption abstract to the department and any agency or person making an independent placement who placed a minor person for adoption, and one certification of adoption as prescribed in section 144.19 to the state registrar of vital statistics. Upon receipt of the certification, the state registrar shall prepare a new birth certificate pursuant to section 144.23 and deliver to the parents named in the decree and any adult person adopted by the decree a copy of the new birth certificate. The parents shall pay the fee prescribed in section 144.46. If the person adopted was born outside the state, the state registrar shall forward the certification of adoption to the appropriate agency in the state or foreign nation of birth. A copy of any interlocutory adoption decree vacation shall be delivered and another birth certificate shall be prepared in the same manner as a certification of adoption is delivered and the birth certificate was originally prepared.

DALE M. COCHRAN
Speaker of the House

ARTHUR A. NEU
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 547, Sixty-seventh General Assembly.

DAVID L. WRAY
Chief Clerk of the House

Approved March 22, 1978

ROBERT D. RAY
Governor