

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 963 Session of 2011

INTRODUCED BY BENNINGHOFF, BOBACK, CALTAGIRONE, CLYMER,
D. COSTA, DAVIS, DENLINGER, EVERETT, FARRY, FLECK, FRANKEL,
GILLEN, GINGRICH, GROVE, HARHART, HARRIS, JOSEPHS, KAVULICH,
KNOWLES, MILLARD, D. O'BRIEN, PICKETT, RAPP, K. SMITH,
SONNEY, SWANGER AND VULAKOVICH, MARCH 7, 2011

REFERRED TO COMMITTEE ON CHILDREN AND YOUTH, MARCH 7, 2011

AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania
2 Consolidated Statutes, in adoption, further providing for
3 original birth record.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Section 2937 of Title 23 of the Pennsylvania
7 Consolidated Statutes, added October 27, 2010 (P.L. , No.101),
8 is amended to read:

9 § 2937. Original birth record.

10 (a) General rule.--No disclosure of information shall be
11 made by a court, an agency, the Department of Health or any
12 other Commonwealth agency regarding an adoptee's original birth
13 record or regarding the documents or proof on which an amended
14 certificate of birth is based or relating in any way to the
15 birth parents unless the disclosure is made pursuant to the
16 provisions of this section.

17 (b) Filing of consent to issue copy of summary of original

1 birth record.--

2 (1) The birth parents may, at the time their parental
3 rights are terminated or at any time thereafter, place on
4 file with the court and the Department of Health a consent
5 form granting permission for the court or the Department of
6 Health to issue a copy of the summary of the adoptee's
7 original birth record, which summary discloses the identity
8 of the birth parents, at any time after the adoptee turns 18
9 years of age or, if less than 18 years of age, to the
10 adoptive parent or legal guardian.

11 (2) If only one birth parent has filed a consent, a copy
12 of the summary of the original birth record naming only the
13 consenting birth parent shall be issued.

14 (3) The consent of a birth parent may be withdrawn at
15 any time by filing a withdrawal of consent form with the
16 court and the Department of Health.

17 (c) Duty of Department of Health.--The Department of Health
18 shall prescribe by regulation the procedure and forms to be
19 utilized for the giving, updating and withdrawal of consent.

20 (d) Exception.--Notwithstanding the provisions of this
21 section, the Bureau of Vital Statistics of the Department of
22 Health shall disclose, at the written request of an adoptee, the
23 original or amended certificate of birth of the adoptee in
24 accordance with the provisions of the act of June 29, 1953
25 (P.L.304, No.66), known as the Vital Statistics Law of 1953.

26 Section 2. This act shall take effect April 25, 2011, or in
27 60 days, whichever is later.