

# D R A F T

## SUMMARY

Digest: The Act allows an adult who applies to a state agency to access a sealed original birth record to ask the state agency to add or change the name of a biological parent. Takes effect when the Governor signs it. (Flesch Readability Score: 60.1).

Allows a person at least 21 years of age who opens a sealed original record of live birth via an application to apply to the Center of Health Statistics to add or change the name of a biological parent on the original record of live birth.

Declares an emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to records of live birth; creating new provisions; amending ORS  
3 432.253; and declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 432.253 is amended to read:

6 432.253. (1) If an original record of live birth for a person at least 21 years  
7 of age was sealed under ORS 432.245 and was later opened under ORS **432.228**  
8 **or** 432.250, and the paternity or parentage of the person has been determined  
9 by DNA (deoxyribonucleic acid) testing or by other means, the person may  
10 apply to the Center for Health Statistics to add or change the name of a  
11 biological parent on the original record of live birth.

12 (2) An application under this section must include:

13 (a) Evidence of a DNA test or other evidence that shows that the person  
14 whose name is to be entered as a biological parent is the biological parent  
15 of the applicant; and

16 (b)(A) If the person whose name is to be entered as a biological parent

1 is living, an affidavit attesting that the person is a biological parent of the  
2 applicant and that the name to be entered is that of the biological parent  
3 that was omitted from the original record of live birth; or

4 (B) If the person whose name is to be entered as a biological parent is  
5 deceased, an affidavit from the personal representative or a relative of the  
6 person attesting that the person is a biological parent of the applicant and  
7 that the name to be entered is that of the biological parent that was omitted  
8 from the original record of live birth.

9 (3) If the name of a biological parent is entered on an original record of  
10 live birth under this section:

11 (a) A person may only obtain a noncertified copy of a record of live birth  
12 amended under this section.

13 (b) A notation indicating that the record was amended must be shown on  
14 all copies of the record.

15 (c) The center shall prominently display the following language on all  
16 copies of the record: "THIS RECORD OF LIVE BIRTH MAY NOT BE USED  
17 FOR ANY LEGAL PURPOSE AND DOES NOT CREATE ANY LEGAL  
18 RIGHTS FOR THE CHILD OR THE PARENTS LISTED ON THE  
19 RECORD."

20 (4) The center shall adopt rules regarding:

21 (a) The establishment and collection of fees for the preparation and reg-  
22 istration of an amended original record of live birth and for the issuance of  
23 a noncertified copy of an amended original record of live birth under this  
24 section.

25 (b) Consent and affidavit forms, proof of identification requirements and  
26 the evidentiary requirements to substantiate that a person is an omitted bi-  
27 ological parent of an applicant under this section.

28 **SECTION 2. The amendments to ORS 432.253 by section 1 of this**  
29 **2024 Act apply to original records of live birth opened under ORS**  
30 **432.228 or 432.250 before, on or after the effective date of this 2024 Act.**

31 **SECTION 3. This 2024 Act being necessary for the immediate pres-**

1 **ervation of the public peace, health and safety, an emergency is de-**  
2 **clared to exist, and this 2024 Act takes effect on its passage.**

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