

Enrolled
Senate Bill 573

Sponsored by Senator GELSER BLOUIN; Senator BOQUIST, Representative HIEB (at the request of Ann Elizabeth Weaver-Melendy) (Pre-session filed.)

CHAPTER

AN ACT

Relating to records of live birth.

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

SECTION 1. Section 2 of this 2023 Act is added to and made a part of ORS chapter 432.

SECTION 2. (1) If an original record of live birth for a person at least 21 years of age was sealed under ORS 432.245 and was later opened under ORS 432.250, and the paternity or parentage of the person has been determined by DNA (deoxyribonucleic acid) testing or by other means, the person may apply to the Center for Health Statistics to add or change the name of a biological parent on the original record of live birth.

(2) An application under this section must include:

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

(b)(A) If the person whose name is to be entered as a biological parent is living, an affidavit attesting that the person is a biological parent of the applicant and that the name to be entered is that of the biological parent that was omitted from the original record of live birth; or

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

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

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

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

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

(4) The center shall adopt rules regarding:

(a) The establishment and collection of fees for the preparation and registration of an amended original record of live birth and for the issuance of a noncertified copy of an amended original record of live birth under this section.

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

SECTION 3. Section 2 of this 2023 Act applies to original records of live birth opened under ORS 432.250 at any time, whether before, on or after the effective date of this 2023 Act.

Passed by Senate March 13, 2023

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Lori L. Brocker, Secretary of Senate

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Rob Wagner, President of Senate

Passed by House May 23, 2023

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Dan Rayfield, Speaker of House

Received by Governor:

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Approved:

.....M,....., 2023

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Tina Kotek, Governor

Filed in Office of Secretary of State:

.....M,....., 2023

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Secretary of State