



February 5, 2024

The Honorable Sara Gelser Blouin
Chair, Senate Committee On Human Services
Oregon State Senate
900 Court St. NE
Salem, OR 97301

**RE: SUPPORT FOR SB1523 (CORRECTIVE BILL)
RELATED TO BIRTH CERTIFICATES OF ADOPTED PEOPLE**

Dear Chair Blouin and Members of the Committee:

SB1523 is a simple bill that adds a single missing reference to an Oregon measure that this body approved last session. Current law, enacted in 2023, provides a process for an adult adopted person to add or correct a parent's missing or inaccurate information on the adopted person's own original birth record. The law, however, erroneously and severely limited its scope by failing to cite the two critical implementing provisions: section 432.228 and section 432.250. The law instead cited a single provision (section 432.250). SB1523 corrects this oversight by adding the necessary statutory reference to section 432.228 on line 7. It is the only change in the law, and it is necessary to make the law fully effective.

As a tool to understand this important but minor correction, I have included a chart outlining how current law nonsensically requires an adult adopted person to obtain a court order to obtain their original birth record (section 432.250) when in fact the adopted person has the right at age 21 to obtain a necessary copy without a court order (section 432.228). SB1523 thus provides a simple fix to an unfortunate overlooked error.

Best regards,

ADOPTEE RIGHTS LAW CENTER PLLC

Gregory D. Luce
Attorney and Founder

SB1523: The Issue and Corrective Solution

SB573 (Enacted 2023)	SB1523 (Corrective Bill, 2024)
Problem: Mistakenly omits a necessary reference to Section 432.228 of Oregon law	Solution: Adds section 432.228 to the law
Limitation: Limits the law’s application only to individuals who are able to obtain a court order under section 432.250 to unseal the original birth record	Solution: A person who has obtained a certified copy of a pre-adoption birth record upon request under Section 432.228 qualifies to request amendment of that record
Impact: It is nonsensical to require a court order to obtain a copy of an original birth record (432.250) when the record is already available to the adopted person at age 21 (section 432.228)	Result: Adult adopted people, at age 21, may submit a certified copy of the pre-adoptive birth record as proof that the record is available to them and can be modified by the substantive portions of SB573 (now current law)

RELEVANT STATUTORY PROVISIONS (CURRENT LAW)

432.228 Issuance of certified copy of record of live birth to adopted persons; Contact Preference Form

(1) Upon receipt of a written application to the State Registrar of the Center for Health Statistics, an adopted person 21 years of age and older born in this state shall be issued a certified copy of the person’s unaltered, original and unamended record of live birth in the custody of the state registrar, with procedures, filing fees, and waiting periods as prescribed by the state registrar by rule.

432.250. Access to adoption records

The documents forwarded to the State Registrar of the Center for Health Statistics or sealed under ORS 432.245 may be opened by the state registrar only upon receiving an order from a court of competent jurisdiction or when requested by an agency operating a voluntary adoption registry established under ORS 109.450 for the purpose of facilitating the identification of persons registering under the provisions of ORS 109.425 to 109.507