

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1525

Chapter 321, Laws of 2013

63rd Legislature
2013 Regular Session

BIRTH CERTIFICATES--BIRTH INFORMATION

EFFECTIVE DATE: 07/28/13

Passed by the House April 22, 2013
Yeas 94 Nays 1

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 16, 2013
Yeas 39 Nays 8

BRAD OWEN

President of the Senate

Approved May 21, 2013, 2:28 p.m.

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1525** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER

Chief Clerk

FILED

May 21, 2013

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1525

AS AMENDED BY THE SENATE

Passed Legislature - 2013 Regular Session

State of Washington 63rd Legislature 2013 Regular Session

By House Judiciary (originally sponsored by Representatives Orwall, Pedersen, Goodman, Hunt, Roberts, Upthegrove, Ryu, and Jinkins)

READ FIRST TIME 02/21/13.

1 AN ACT Relating to birth certificates and other birth-related
2 information; and amending RCW 26.33.345.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 26.33.345 and 1993 c 81 s 3 are each amended to read
5 as follows:

6 (1) The department of social and health services, adoption
7 agencies, and independent adoption facilitators shall release the name
8 and location of the court where a relinquishment of parental rights or
9 finalization of an adoption took place to an adult adoptee, a birth
10 parent of an adult adoptee, an adoptive parent, a birth or adoptive
11 grandparent of an adult adoptee, or an adult sibling of an adult
12 adoptee, or the legal guardian of any of these.

13 (2) The department of health shall make available a noncertified
14 copy of the original birth certificate of a child to the child's birth
15 parents upon request.

16 (3)(a) For adoptions finalized after October 1, 1993, the
17 department of health shall (~~make available~~) provide a noncertified
18 copy of the original birth certificate to (~~the adoptee after the~~
19 ~~adoptee's eighteenth birthday unless the birth parent has filed an~~

1 affidavit of nondisclosure)) an adoptee eighteen years of age or older
2 upon request, unless the birth parent has filed an affidavit of
3 nondisclosure before the effective date of this section or a contact
4 preference form that indicates he or she does not want the original
5 birth certificate released: PROVIDED, That the affidavit of
6 nondisclosure, the contact preference form, or both have not expired.

7 (b) For adoptions finalized on or before October 1, 1993, the
8 department of health may not provide a noncertified copy of the
9 original birth certificate to the adoptee until after June 30, 2014.
10 After June 30, 2014, the department of health shall provide a
11 noncertified copy of the original birth certificate to an adoptee
12 eighteen years of age or older upon request, unless the birth parent
13 has filed a contact preference form that indicates he or she does not
14 want the original birth certificate released: PROVIDED, That the
15 contact preference form has not expired.

16 (c) An affidavit of nondisclosure expires upon the death of the
17 birth parent.

18 (4)(a) Regardless of whether a birth parent has filed an affidavit
19 of nondisclosure or when the adoption was finalized, a birth parent may
20 at any time complete a contact preference form stating his or her
21 preference about personal contact with the adoptee, which, if
22 available, must accompany an original birth certificate provided to an
23 adoptee under subsection (3) of this section.

24 (b) The contact preference form must include the following options:

25 (i) I would like to be contacted. I give the department of health
26 consent to provide the adoptee with a noncertified copy of his or her
27 original birth certificate;

28 (ii) I would like to be contacted only through a confidential
29 intermediary as described in RCW 26.33.343. I give the department of
30 health consent to provide the adoptee with a noncertified copy of his
31 or her original birth certificate;

32 (iii) I prefer not to be contacted and have completed the birth
33 parent updated medical history form. I give the department of health
34 consent to provide the adoptee with a noncertified copy of his or her
35 original birth certificate; and

36 (iv) I prefer not to be contacted and have completed the birth
37 parent updated medical history form. I do not want a noncertified copy
38 of the original birth certificate released to the adoptee.

1 (c) If the birth parent indicates he or she prefers not to be
2 contacted, personally identifying information on the contact preference
3 form must be kept confidential and may not be released.

4 (d) Nothing in this section precludes a birth parent from
5 subsequently filing another contact preference form to rescind the
6 previous contact preference form and state a different preference.

7 (e) A contact preference form expires upon the death of the birth
8 parent.

9 (5) If a birth parent files a contact preference form, the birth
10 parent must also file an updated medical history form with the
11 department of health. Upon request of the adoptee, the department of
12 health must provide the adoptee with the updated medical history form
13 filed by the adoptee's birth parent.

14 (6) Both a completed contact preference form and birth parent
15 updated medical history form are confidential and must be placed in the
16 adoptee's sealed file.

17 (7) If a birth parent files a contact preference form within six
18 months after the first time an adoptee requests a copy of his or her
19 original birth certificate as provided in subsection (3) of this
20 section, the department of health must forward the contact preference
21 form and the birth parent updated medical history form to the address
22 of the adoptee.

23 (8) The department of health may charge a fee not to exceed twenty
24 dollars for providing a noncertified copy of a birth certificate to an
25 adoptee.

26 (9) The department of health must create the contact preference
27 form and an updated medical history form. The contact preference form
28 must provide a method to ensure personally identifying information can
29 be kept confidential. The updated medical history form may not require
30 the birth parent to disclose any identifying information about the
31 birth parent.

32 (10) If the department of health does not provide an adoptee with
33 a noncertified copy of the original birth certificate because a valid
34 affidavit of nondisclosure or contact preference form has been filed,
35 the adoptee may request, no more than once per year, that the
36 department of health attempt to determine if the birth parent is
37 deceased. Upon request of the adoptee, the department of health must
38 make a reasonable effort to search public records that are accessible

1 and already available to the department of health to determine if the
2 birth parent is deceased. The department of health may charge the
3 adoptee a reasonable fee to cover the cost of conducting a search.

Passed by the House April 22, 2013.

Passed by the Senate April 16, 2013.

Approved by the Governor May 21, 2013.

Filed in Office of Secretary of State May 21, 2013.