
By: **Delegates Cane, Bohanan, Bozman, Conway, C. Davis, Franchot, Harrison, Heller, Krysiak, Malone, McConkey, Owings, Proctor, Rudolph, Sophocleus, Sossi, and F. Turner F. Turner, Hurson, Hammen, Benson, Boteler, Boutin, Bromwell, Costa, Donoghue, Elliott, Goldwater, Kach, Mandel, McDonough, Morhaim, Murray, Nathan-Pulliam, Oaks, Pendergrass, Rosenberg, Smigiel, V. Turner, and Weldon**

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Assigned to: Health and Government Operations

Committee Report: Favorable with amendments
House action: Adopted
Read second time: February 17, 2004

CHAPTER 158

1 AN ACT concerning

2 **Family Law - Adoption - Certificates of Birth**

3 FOR the purpose of repealing the provision of law making the entry of an adoption
4 order by a court as grounds for the Secretary of Health and Mental Hygiene to
5 make a new certificate of birth for an individual who was born outside the
6 United States; repealing a certain qualification that a foreign-born adopted
7 person must meet before the Secretary may prepare and register a certificate of
8 foreign birth; and generally relating to certificates of birth.

9 BY repealing and reenacting, with amendments,
10 Article - Health - General
11 Section 4-211(b) and (i)(1)
12 Annotated Code of Maryland
13 (2000 Replacement Volume and 2003 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

1

Article - Health - General

2 4-211.

3 (b) Except as provided in subsection (c) of this section, the Secretary may
4 make a new certificate of birth for an individual who was born outside the United
5 States if one of the following occurred in this State:

6 (1) The previously unwed parents of the individual have married each
7 other after the birth of the individual;

8 (2) A court of competent jurisdiction in this State has entered an order as
9 to parentage[, OR legitimization[, or adoption]; or

10 (3) The father of the individual acknowledged himself by affidavit to be
11 the father and the mother of the individual has consented by affidavit to the
12 acknowledgment.

13 (i) (1) The Secretary shall, upon request, prepare and register a certificate
14 in this State for a person born in a foreign country [who is not a citizen of the United
15 States] and who was adopted:

16 (i) (1) Through a court of competent jurisdiction in this State; or

17 (ii) 1. Under the laws of a jurisdiction or country other than the
18 United States and has been granted an IR-3 visa by the United States Immigration
19 and Naturalization Service under the Immigration and Nationality Act; and

20 2. By an adopting parent who is a resident of this State.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2004.