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**By: Delegates Turner, Perry, Pendergrass, Grosfeld, Mandel, Marriott, C. Mitchell, Oaks, Snodgrass, Hecht, Vallario, Proctor, Frush, Kagan, Patterson, Muse, Petzold, E. Burns, Bonsack, Bobo, Faulkner, Conroy, Montague, Cryor, Shriver, Love, M. Burns, D. Murphy, Parker, Hutchins, Genn, Menes, Pitkin, Cadden, Hubbard, Crumlin, Preis, McIntosh, O'Donnell, Bissett, Jacobs, Krysiak, Dembrow, Kirk, Nathan-Pulliam, Watson, Malone, Branch, Fulton, Mossburg, Ciliberti, T. Murphy, Frank, Finifter, Klausmeier, Hurson, Workman, Edwards, McKee, and B. Hughes**

Introduced and read first time: January 20, 1997

Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2 **Adoption - Access to Records**

3 FOR the purpose of requiring the Secretary of Health and Mental Hygiene to give copies  
 4 of certain birth records to certain adopted individuals and birth parents under  
 5 certain circumstances; authorizing certain adopted individuals and birth parents to  
 6 file a written veto prohibiting the disclosure of certain birth records; authorizing  
 7 certain adopted individuals and birth parents to file a written no-contact  
 8 declaration; prohibiting the Secretary from giving copies of certain birth records to  
 9 certain individuals unless the individual signs a certain agreement; making it a  
 10 misdemeanor subject to certain penalties to violate a certain agreement; authorizing  
 11 certain individuals and certain adult relatives of certain adopted individuals to  
 12 register with the Director of the Social Services Administration to exchange  
 13 identifying information; granting the Director the right to certain information  
 14 contained in certain public records; authorizing certain individuals to apply to the  
 15 Director for assistance in locating certain individuals; making it a misdemeanor  
 16 subject to certain penalties to use or disclose certain information for certain  
 17 purposes; authorizing the seal on certain birth records to be broken under certain  
 18 circumstances; making stylistic changes; providing for a delayed effective date; and  
 19 generally relating to access to certain birth and adoption records.

20 BY repealing

21 Article - Family Law  
 22 Section 5-4A-01 through 5-4A-07, inclusive, and the subtitle "Subtitle 4A. Mutual  
 23 Consent Voluntary Adoption Registry"  
 24 Annotated Code of Maryland  
 25 (1991 Replacement Volume and 1996 Supplement)

26 BY adding to

27 Article - Family Law  
 28 Section 5-4A-01 through 5-4A-10, inclusive, to be under the new subtitle "Subtitle

2

1 4A. Disclosure of Identifying Information"  
2 Annotated Code of Maryland  
3 (1991 Replacement Volume and 1996 Supplement)

4 BY repealing and reenacting, with amendments,  
5 Article - Health - General  
6 Section 4-211  
7 Annotated Code of Maryland  
8 (1994 Replacement Volume and 1996 Supplement)

9 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
10 MARYLAND, That Section(s) 5-4A-01 through 5-4A-07, inclusive, and the subtitle  
11 "Subtitle 4A. Mutual Consent Voluntary Adoption Registry" of Article - Family Law of  
12 the Annotated Code of Maryland be repealed.

13 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
14 read as follows:

15 **Article - Family Law**

16 SUBTITLE 4A. DISCLOSURE OF IDENTIFYING INFORMATION.

17 5-4A-01.

18 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
19 INDICATED.

20 (B) "ADMINISTRATION" MEANS THE SOCIAL SERVICES ADMINISTRATION OF  
21 THE DEPARTMENT.

22 (C) "DIRECTOR" MEANS THE DIRECTOR OF THE ADMINISTRATION.

23 5-4A-02.

24 (A) AN ADOPTED INDIVIDUAL 25 YEARS OF AGE OR OLDER MAY APPLY TO  
25 THE SECRETARY OF HEALTH AND MENTAL HYGIENE FOR A COPY OF THE  
26 FOLLOWING:

27 (1) THE ADOPTED INDIVIDUAL'S ORIGINAL CERTIFICATE OF BIRTH;  
28 AND

29 (2) THE REPORT OF THE DECREE OR JUDGMENT OF ADOPTION FILED  
30 BY THE CLERK OF THE COURT UNDER § 4-211 OF THE HEALTH - GENERAL ARTICLE.

31 (B) IF AN APPLICANT COMPLIES WITH § 5-4A-06 OF THIS SUBTITLE, THE  
32 SECRETARY OF HEALTH AND MENTAL HYGIENE SHALL GIVE THE APPLICANT A  
33 COPY OF THE REQUESTED RECORDS UNLESS:

34 (1) A DISCLOSURE VETO HAS BEEN FILED UNDER § 5-4A-04 OF THIS  
35 SUBTITLE; OR

3

1 (2) A NO-CONTACT DECLARATION HAS BEEN FILED UNDER § 5-4A-05 OF  
2 THIS SUBTITLE AND THE APPLICANT HAS NOT SIGNED THE AGREEMENT DESCRIBED  
3 IN THAT SECTION.

4 5-4A-03.

5 (A) IF AN ADOPTED INDIVIDUAL IS 25 YEARS OF AGE OR OLDER, A BIRTH  
6 PARENT NAMED ON THE ADOPTED INDIVIDUAL'S ORIGINAL CERTIFICATE OF BIRTH  
7 MAY APPLY TO THE SECRETARY OF HEALTH AND MENTAL HYGIENE FOR A COPY OF  
8 ONE OR MORE OF THE FOLLOWING:

9 (1) THE ORIGINAL CERTIFICATE OF BIRTH;

10 (2) THE NEW CERTIFICATE OF BIRTH THAT WAS SUBSTITUTED FOR THE  
11 ADOPTED INDIVIDUAL'S ORIGINAL CERTIFICATE OF BIRTH UNDER § 4-211 OF THE  
12 HEALTH - GENERAL ARTICLE; OR

13 (3) THE REPORT OF THE DECREE OR JUDGMENT OF ADOPTION FILED  
14 BY THE CLERK OF THE COURT UNDER § 4-211 OF THE HEALTH - GENERAL ARTICLE.

15 (B) IF AN APPLICANT COMPLIES WITH § 5-4A-06 OF THIS SUBTITLE, THE  
16 SECRETARY OF HEALTH AND MENTAL HYGIENE SHALL GIVE THE APPLICANT A  
17 COPY OF THE REQUESTED RECORDS UNLESS:

18 (1) A DISCLOSURE VETO HAS BEEN FILED UNDER § 5-4A-04 OF THIS  
19 SUBTITLE; OR

20 (2) A NO-CONTACT DECLARATION HAS BEEN FILED UNDER § 5-4A-05 OF  
21 THIS SUBTITLE AND THE APPLICANT HAS NOT SIGNED THE AGREEMENT DESCRIBED  
22 IN THAT SECTION.

23 (C) BEFORE GIVING THE APPLICANT A COPY OF THE REQUESTED RECORD,  
24 THE SECRETARY OF HEALTH AND MENTAL HYGIENE SHALL DELETE ANY  
25 IDENTIFYING INFORMATION ABOUT THE ADOPTIVE PARENTS.

26 5-4A-04.

27 (A) THE FOLLOWING INDIVIDUALS MAY APPLY TO THE SECRETARY OF  
28 HEALTH AND MENTAL HYGIENE TO FILE A WRITTEN VETO PROHIBITING THE  
29 DISCLOSURE OF A CERTIFICATE OF BIRTH OR OTHER RECORD UNDER § 5-4A-02 OR  
30 § 5-4A-03 OF THIS SUBTITLE:

31 (1) AN ADOPTED INDIVIDUAL WHO IS 24 YEARS OF AGE OR OLDER; AND

32 (2) A BIRTH PARENT NAMED ON THE ORIGINAL CERTIFICATE OF BIRTH  
33 OF AN ADOPTED INDIVIDUAL.

34 (B) IF AN APPLICANT COMPLIES WITH § 5-4A-06 OF THIS SUBTITLE, THE  
35 SECRETARY OF HEALTH AND MENTAL HYGIENE SHALL FILE THE DISCLOSURE  
36 VETO.

37 (C) AN INDIVIDUAL WHO FILES A DISCLOSURE VETO MAY FILE WITH IT A  
38 WRITTEN STATEMENT THAT INCLUDES ANY OF THE FOLLOWING:

4

1 (1) THE REASONS FOR WISHING NOT TO DISCLOSE ANY IDENTIFYING  
2 INFORMATION;

3 (2) IN THE CASE OF A BIRTH PARENT, A BRIEF SUMMARY OF ANY  
4 AVAILABLE INFORMATION ABOUT THE MEDICAL AND SOCIAL HISTORY OF THE  
5 BIRTH PARENTS AND THEIR FAMILIES; AND

6 (3) ANY OTHER RELEVANT NONIDENTIFYING INFORMATION.

7 (D) WHEN AN INDIVIDUAL APPLYING FOR A COPY OF A RECORD IS  
8 INFORMED THAT A DISCLOSURE VETO HAS BEEN FILED, THE SECRETARY OF  
9 HEALTH AND MENTAL HYGIENE SHALL GIVE THE INDIVIDUAL THE INFORMATION  
10 IN ANY WRITTEN STATEMENT FILED WITH THE DISCLOSURE VETO.

11 (E) AN INDIVIDUAL WHO FILES A DISCLOSURE VETO MAY CANCEL THE VETO  
12 AT ANY TIME BY NOTIFYING, IN WRITING, THE SECRETARY OF HEALTH AND  
13 MENTAL HYGIENE.

14 (F) UNLESS CANCELED UNDER SUBSECTION (E) OF THIS SECTION, A  
15 DISCLOSURE VETO CONTINUES IN EFFECT UNTIL 2 YEARS AFTER THE DEATH OF  
16 THE INDIVIDUAL WHO FILED THE VETO.

17 (G) WHILE A DISCLOSURE VETO IS IN EFFECT, THE SECRETARY OF HEALTH  
18 AND MENTAL HYGIENE MAY NOT DISCLOSE ANY INFORMATION THAT IS IN A  
19 RECORD APPLIED FOR UNDER § 5-4A-02 OR § 5-4A-03 OF THIS SUBTITLE AND THAT  
20 RELATES TO THE INDIVIDUAL WHO FILED THE VETO.

21 5-4A-05.

22 (A) (1) A BIRTH PARENT WHO IS NAMED IN AN ORIGINAL CERTIFICATE OF  
23 BIRTH AND WHO WISHES NOT TO BE CONTACTED BY THE INDIVIDUAL NAMED AS  
24 THE CHILD IN THE CERTIFICATE MAY APPLY TO THE SECRETARY OF HEALTH AND  
25 MENTAL HYGIENE TO FILE A WRITTEN NO-CONTACT DECLARATION.

26 (2) AN ADOPTED INDIVIDUAL 24 YEARS OF AGE OR OLDER WHO  
27 WISHES NOT TO BE CONTACTED BY A BIRTH PARENT NAMED ON THE INDIVIDUAL'S  
28 CERTIFICATE OF BIRTH MAY APPLY TO THE SECRETARY OF HEALTH AND MENTAL  
29 HYGIENE TO FILE A WRITTEN NO-CONTACT DECLARATION.

30 (B) IF AN APPLICANT UNDER SUBSECTION (A) OF THIS SECTION COMPLIES  
31 WITH § 5-4A-06 OF THIS SUBTITLE, THE SECRETARY OF HEALTH AND MENTAL  
32 HYGIENE SHALL FILE THE NO-CONTACT DECLARATION.

33 (C) (1) THE SECRETARY OF HEALTH AND MENTAL HYGIENE MAY NOT GIVE  
34 AN INDIVIDUAL TO WHOM A NO-CONTACT DECLARATION RELATES A COPY OF A  
35 CERTIFICATE OF BIRTH OR OTHER RECORD IDENTIFYING THE INDIVIDUAL WHO  
36 FILED THE DECLARATION UNLESS THE APPLICANT HAS SIGNED AN AGREEMENT IN  
37 THE FORM REQUIRED BY THE SECRETARY THAT THE APPLICANT WILL NOT:

38 (I) KNOWINGLY CONTACT OR ATTEMPT TO CONTACT THE  
39 INDIVIDUAL WHO FILED THE DECLARATION;

5

1 (II) PROCURE ANOTHER INDIVIDUAL TO CONTACT THE  
2 INDIVIDUAL WHO FILED THE DECLARATION;

3 (III) USE INFORMATION OBTAINED UNDER THIS SUBTITLE TO  
4 INTIMIDATE OR HARASS THE INDIVIDUAL WHO FILED THE DECLARATION; OR

5 (IV) PROCURE ANOTHER INDIVIDUAL TO INTIMIDATE OR HARASS,  
6 BY THE USE OF INFORMATION OBTAINED UNDER THIS SUBTITLE, THE INDIVIDUAL  
7 WHO FILED THE DECLARATION.

8 (2) A PERSON WHO VIOLATES AN AGREEMENT UNDER PARAGRAPH (1)  
9 OF THIS SUBSECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS  
10 SUBJECT TO A FINE NOT EXCEEDING \$500 OR IMPRISONMENT NOT EXCEEDING 90  
11 DAYS OR BOTH.

12 (D) AN INDIVIDUAL WHO FILES A NO-CONTACT DECLARATION MAY FILE  
13 WITH IT A WRITTEN STATEMENT THAT INCLUDES ANY OF THE FOLLOWING:

14 (1) THE REASONS FOR WISHING NOT TO BE CONTACTED;

15 (2) IN THE CASE OF A BIRTH PARENT, A BRIEF SUMMARY OF ANY  
16 AVAILABLE INFORMATION ABOUT THE MEDICAL AND SOCIAL HISTORY OF THE  
17 BIRTH PARENTS AND THEIR FAMILIES; AND

18 (3) ANY OTHER RELEVANT NONIDENTIFYING INFORMATION.

19 (E) WHEN AN INDIVIDUAL TO WHOM A NO-CONTACT DECLARATION  
20 RELATES IS GIVEN A COPY OF A CERTIFICATE OF BIRTH UNDER § 5-4A-02 OR §  
21 5-4A-03 OF THIS SUBTITLE, THE SECRETARY OF HEALTH AND MENTAL HYGIENE  
22 SHALL GIVE THE INDIVIDUAL THE INFORMATION IN ANY WRITTEN STATEMENT  
23 FILED WITH THE DECLARATION.

24 (F) AN INDIVIDUAL WHO FILES A NO-CONTACT DECLARATION MAY CANCEL  
25 THE DECLARATION AT ANY TIME BY NOTIFYING, IN WRITING, THE SECRETARY OF  
26 HEALTH AND MENTAL HYGIENE.

27 (G) (1) UNLESS CANCELED UNDER SUBSECTION (F) OF THIS SECTION, A  
28 NO-CONTACT DECLARATION CONTINUES IN EFFECT FOR 10 YEARS AFTER IT IS  
29 FILED.

30 (2) BEFORE THE EXPIRATION OF THE 10-YEAR PERIOD, THE  
31 INDIVIDUAL WHO FILED THE DECLARATION MAY APPLY TO THE SECRETARY OF  
32 HEALTH AND MENTAL HYGIENE TO RENEW THE DECLARATION FOR AN  
33 ADDITIONAL 10 YEARS.

34 5-4A-06.

35 AN INDIVIDUAL WHO APPLIES TO THE SECRETARY OF HEALTH AND MENTAL  
36 HYGIENE UNDER THIS SUBTITLE SHALL:

37 (1) SUPPLY ANY PROOF OF IDENTITY REQUIRED BY THE SECRETARY;  
38 AND

6

1 (2) IF THE APPLICATION IS FOR A COPY OF A RECORD, PAY ANY FEE  
2 REQUIRED UNDER TITLE 4, SUBTITLE 2 OF THE HEALTH - GENERAL ARTICLE .

3 5-4A-07.

4 (A) THE FOLLOWING INDIVIDUALS MAY REGISTER WITH THE DIRECTOR TO  
5 EXCHANGE IDENTIFYING INFORMATION:

6 (1) AN ADOPTED INDIVIDUAL 25 YEARS OF AGE OR OLDER; AND

7 (2) AN ADULT RELATIVE OF AN ADOPTED INDIVIDUAL 25 YEARS OF  
8 AGE OR OLDER.

9 (B) IF AN ADOPTED INDIVIDUAL 25 YEARS OF AGE OR OLDER AND A  
10 RELATIVE OF THE ADOPTED INDIVIDUAL HAVE BOTH REGISTERED UNDER THIS  
11 SECTION, THE DIRECTOR SHALL NOTIFY EACH OF THEM AND DISCLOSE THE  
12 IDENTIFYING INFORMATION PROVIDED BY THE OTHER.

13 5-4A-08.

14 (A) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE DIRECTOR HAS  
15 THE RIGHT TO ANY INFORMATION THAT:

16 (1) IS CONTAINED IN A PUBLIC RECORD, AS DEFINED IN § 10-611 OF THE  
17 STATE GOVERNMENT ARTICLE; AND

18 (2) IS NECESSARY TO ENABLE THE DIRECTOR OR A CHILD PLACEMENT  
19 AGENCY TO LOCATE AN INDIVIDUAL FOR THE PURPOSES OF THIS SUBTITLE OR IS  
20 NECESSARY FOR THE HEALTH OR SAFETY OF AN ADOPTED INDIVIDUAL.

21 (B) A CUSTODIAN OF A PUBLIC RECORD THAT CONTAINS INFORMATION TO  
22 WHICH THE DIRECTOR IS ENTITLED UNDER SUBSECTION (A) OF THIS SECTION  
23 SHALL DISCLOSE THAT INFORMATION TO THE DIRECTOR ON REQUEST.

24 5-4A-09.

25 (A) AN INDIVIDUAL WHO HAS OBTAINED A RECORD UNDER § 5-4A-02 OR §  
26 5-4A-03 OF THIS SUBTITLE MAY APPLY TO THE DIRECTOR FOR ASSISTANCE IN  
27 LOCATING ANY OF THE FOLLOWING:

28 (1) IF THE APPLICANT IS AN ADOPTED INDIVIDUAL:

29 (I) A BIRTH PARENT OF THE APPLICANT;

30 (II) AN ADULT ADOPTED SIBLING OF THE APPLICANT; OR

31 (III) IF A BIRTH PARENT OF THE APPLICANT IS DEAD, AN ADULT  
32 BIRTH SIBLING OF THE APPLICANT; AND

33 (2) IF THE APPLICANT IS A BIRTH PARENT, AN ADULT ADOPTED CHILD  
34 OF THE APPLICANT.

35 (B) A BIRTH PARENT WHO SIGNED A CONSENT TO THE ADOPTION OF A CHILD  
36 MAY APPLY TO THE DIRECTOR FOR ASSISTANCE IN LOCATING THE CHILD, IF THE  
37 CHILD IS 25 YEARS OF AGE OR OLDER.

7

1 (C) (1) AFTER THE DEATH OF AN ADULT WHO WAS ADOPTED AS A CHILD,  
2 ANY OF THE FOLLOWING MAY APPLY TO THE DIRECTOR:

3 (I) AN ADULT CHILD OR ADULT GRANDCHILD OF THE DECEASED;  
4 AND

5 (II) IF A CHILD OF THE DECEASED IS UNDER 25 YEARS OF AGE, THE  
6 CHILD'S SURVIVING PARENT OR GUARDIAN.

7 (2) AN APPLICANT UNDER THIS SUBSECTION MAY APPLY FOR  
8 ASSISTANCE IN LOCATING:

9 (I) A BIRTH PARENT OF THE DECEASED;

10 (II) AN ADULT ADOPTED SIBLING OF THE DECEASED; OR

11 (III) IF THE DECEASED'S BIRTH PARENT IS DEAD, AN ADULT BIRTH  
12 SIBLING OF THE DECEASED.

13 (D) AFTER THE DEATH OF A BIRTH PARENT WHOSE ADULT CHILD WAS  
14 ADOPTED, ANOTHER ADULT CHILD OF THE DECEASED MAY APPLY TO THE  
15 DIRECTOR FOR ASSISTANCE IN LOCATING THE APPLICANT'S ADOPTED BIRTH  
16 SIBLING.

17 (E) AN APPLICANT UNDER SUBSECTION (C) OR (D) OF THIS SECTION SHALL  
18 PROVIDE A COPY OF THE DECEASED'S BIRTH CERTIFICATE.

19 (F) AN INDIVIDUAL IS NOT ENTITLED TO ASSISTANCE UNDER THIS SECTION  
20 IN LOCATING AN INDIVIDUAL WHO HAS FILED A DISCLOSURE VETO OR A  
21 NO-CONTACT DECLARATION.

22 (G) SUBJECT TO REGULATIONS ADOPTED BY THE SECRETARY, THE  
23 DIRECTOR MAY PROVIDE THE ASSISTANCE REQUESTED BY AN APPLICANT UNDER  
24 SUBSECTIONS (A) THROUGH (F) OF THIS SECTION.

25 (H) IF AN INDIVIDUAL LOCATED BY THE DIRECTOR WISHES NOT TO BE  
26 CONTACTED BY AN APPLICANT, THE DIRECTOR MAY NOT DISCLOSE ANY  
27 INFORMATION IDENTIFYING THE NAME OR LOCATION OF THE INDIVIDUAL.

28 (I) IF AN INDIVIDUAL LOCATED BY THE DIRECTOR WISHES TO BE  
29 CONTACTED BY AN APPLICANT, THE DIRECTOR MAY ASSIST THEM TO MEET OR TO  
30 COMMUNICATE.

31 (J) THE DIRECTOR SHALL INFORM AN APPLICANT IF THE INDIVIDUAL WHOM  
32 THE APPLICANT REQUESTED ASSISTANCE IN LOCATING WISHES NOT TO BE  
33 CONTACTED, IS DEAD, OR CANNOT BE LOCATED.

34 5-4A-10.

35 (A) INFORMATION PROVIDED TO THE DIRECTOR UNDER §§ 5-4A-07, 5-4A-08,  
36 AND 5-4A-09 OF THIS SUBTITLE MAY NOT BE USED OR DISCLOSED FOR ANY PURPOSE  
37 EXCEPT THE PURPOSE FOR WHICH IT WAS PROVIDED.

8

1 (B) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR  
2 AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$500 OR  
3 IMPRISONMENT NOT EXCEEDING 90 DAYS OR BOTH.

4 **Article - Health - General**

5 4-211.

6 (a) Except as provided in subsection (c) of this section, the Secretary shall make  
7 a new certificate of birth for an individual if the Department receives satisfactory proof  
8 that:

9 (1) The individual was born in this State; and

10 (2) Regardless of the location, one of the following has occurred:

11 (i) The previously unwed parents of the individual have married each  
12 other after the birth of the individual;

13 (ii) A court of competent jurisdiction has entered an order as to the  
14 parentage, legitimation, or adoption of the individual; or

15 (iii) If a father is not named on an earlier certificate of birth:

16 1. The father of the individual has acknowledged himself by  
17 affidavit to be the father; and

18 2. The mother of the individual has consented by affidavit to  
19 the acknowledgment.

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

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

25 (2) A court of competent jurisdiction in this State has entered an order as to  
26 parentage, legitimation, or adoption; or

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

29 (c) The Secretary may not make a new certificate of birth if one of the following  
30 so directs the Secretary:

31 (1) The court that decrees the adoption[.];

32 (2) The adoptive parents[.]; OR

33 (3) The adopted individual, if an adult.

34 (d) A new certificate of birth shall be prepared on the following basis:

35 (1) The individual shall be treated as having at birth the status that later is  
36 acquired or established and of which proof is submitted.



9

1 (2) If the parents of the individual were not married and paternity is  
 2 established by legal proceedings, the name of the father shall be inserted. The legal  
 3 proceeding should request and report to the Secretary that the surname of the subject of  
 4 the record be changed from that shown on the original certificate, if a change is desired.

5 (3) If the individual is adopted, the name of the individual shall be that set  
 6 by the decree of adoption, and the adoptive parents shall be recorded as the parents of  
 7 the individual.

8 (4) The new certificate of birth shall contain wording that requires each  
 9 parent shown on the new certificate to indicate his or her own Social Security number.

10 (e) (1) If a new certificate of birth is made, the Secretary shall:

11 (i) Substitute the new certificate of birth for any certificate then on  
 12 file; and

13 (ii) Place the original certificate of birth and all records that relate to  
 14 the new certificate of birth under seal.

15 (2) The seal may be broken only:

16 (i) On order of a court of competent jurisdiction; [or]

17 (ii) If it does not violate the confidentiality of the record, on written  
 18 order of a designee of the Secretary; OR

19 (III) IN ACCORDANCE WITH TITLE 5, SUBTITLE 4A OF THE FAMILY  
 20 LAW ARTICLE.

21 (3) A certified copy of the certificate of birth that later is issued shall be a  
 22 copy of the new certificate of birth, unless a court of competent jurisdiction orders the  
 23 issuance of a copy of the original certificate of birth.

24 (f) Each clerk of court shall send to the Secretary, on the form that the Secretary  
 25 provides, a report of:

26 (1) Each decree of adoption;

27 (2) Each adjudication of paternity, including the father's Social Security  
 28 number; and

29 (3) Each revocation or amendment of any decree of adoption or  
 30 adjudication of paternity that the court enters.

31 (g) Upon receipt of a report or decree of annulment of adoption, the original  
 32 certificate of birth shall be restored to its place in the files, and the adoption certificate  
 33 and any accompanying documents is not subject to inspection except upon order of a  
 34 court of competent jurisdiction or as provided by regulation.

35 (h) If no certificate of birth is on file for the person for whom a new birth  
 36 certificate is to be established under this section, and the date and place of birth have not  
 37 been determined in the adoption or paternity proceedings:

10

1 (1) A delayed certificate of birth shall be filed with the Secretary as  
2 provided in § 4-210 of this subtitle before a new certificate of birth is established; and

3 (2) The new birth certificate shall be prepared on the delayed birth  
4 certificate form.

5 (i) (1) The Secretary shall, upon request, prepare and register a certificate in  
6 this State for a person born in a foreign country who is not a citizen of the United States  
7 and who was adopted through a court of competent jurisdiction in this State.

8 (2) The certificate shall be established upon receipt of a certificate of  
9 adoption from the court decreeing the adoption, proof of the date and place of the child's  
10 birth, and a request from the court, the adopting parents, or the adopted person if 18  
11 years of age or over that the certificate be prepared.

12 (3) The certificate shall be labeled "Certificate of Foreign Birth" and shall  
13 show the actual country of birth.

14 (4) A statement shall also be included on the certificate indicating that it is  
15 not evidence of United States citizenship for the child for whom it is issued.

16 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
17 July 1, 1998.