

Chapter 463

(Senate Bill 400)

AN ACT concerning

Department of Health and Mental Hygiene – Certificates of Foreign Birth – IH-3 Visa

FOR the purpose of requiring the Secretary of Health and Mental Hygiene, on request, to prepare and register a certificate of foreign birth for certain individuals who have been granted an IH-3 visa by the United States Immigration and Naturalization Service; requiring the certificate to be established on receipt of certain documents, including proof of IH-3 visa status; making stylistic changes; and generally relating to certificates of foreign birth prepared and registered by the Department of Health and Mental Hygiene.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 4-211(i)
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

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

Article – Health – General

4-211.

(i) (1) The Secretary shall, [upon] **ON** request, prepare and register a certificate in this State for [a person] **AN INDIVIDUAL** born in a foreign country and who was adopted:

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

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

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

(2) Except as provided in paragraph (3) of this subsection, the certificate shall be established [upon] **ON** receipt of:

(i) A certificate of adoption from the court decreeing the adoption;

(ii) Proof of the date and place of the child's birth; and

(iii) A request from the court, the adopting parents, or the adopted person if 18 years of age or over that the certificate be prepared.

(3) If the child was adopted under the laws of a jurisdiction or country other than the United States and has been granted an **IR-3 OR IH-3** visa by the United States Immigration and Naturalization Service under the Immigration and Nationality Act, the certificate shall be established [upon] **ON** receipt of:

(i) An official copy of the decree from the jurisdiction or country in which the child was adopted;

(ii) A certified translation of the foreign adoption decree;

(iii) Proof of the date and place of the child's birth;

(iv) Proof of **IR-3 OR IH-3** visa status;

(v) A request from the court, the adopting parents, or the adopted person if 18 years of age or over that the certificate be prepared; and

(vi) Proof that the adopting parent is a resident of this State.

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

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

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

Approved by the Governor, May 19, 2011.