

# SENATE BILL 102

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0lr0101

(PRE-FILED)

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By: **Chair, Finance Committee (By Request – Departmental – Health)**

Requested: September 24, 2019

Introduced and read first time: January 8, 2020

Assigned to: Finance

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Committee Report: Favorable

Senate action: Adopted

Read second time: January 28, 2020

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Vital Records – Birth Certificates – Change of Name of Child**

3 FOR the purpose of altering the circumstances under which the Maryland Department of  
4 Health has the authority to change the name on a birth certificate without a court  
5 order to allow the Department, if only one parent is named on the birth certificate of  
6 the child, to change the name on receipt of certain documents from the parent named  
7 on the birth certificate; providing that only one affidavit signed by both parents  
8 named on the birth certificate is required under certain circumstances; making  
9 stylistic changes; and generally relating to birth certificates.

10 BY repealing and reenacting, with amendments,  
11 Article – Health – General  
12 Section 4–214(c)(2)  
13 Annotated Code of Maryland  
14 (2019 Replacement Volume)

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

17 **Article – Health – General**

18 4–214.

19 (c) (2) **(I)** The Department may change the name on a birth certificate once

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 without a court order if, within 12 months after the birth, the Department receives from  
2 both parents [of a] **NAMED ON THE BIRTH CERTIFICATE OF THE child OR, IF ONLY ONE**  
3 **PARENT IS NAMED, THE PARENT NAMED ON THE BIRTH CERTIFICATE OF THE CHILD:**

4                                   **[(i)] 1.**     A written request for the change of name; and

5                                   **[(ii)] 2.**     An affidavit that has been sworn before a notary public of  
6 **[this] THE State and states that [they are the parents] THE INDIVIDUAL IS THE PARENT**  
7 **of the child and [are] IS making [this] THE request of [their] THE INDIVIDUAL’S own free**  
8 **will.**

9                                   **(II) IF THE DEPARTMENT RECEIVES AN AFFIDAVIT IN**  
10 **ACCORDANCE WITH SUBPARAGRAPH (I)2 OF THIS PARAGRAPH FROM BOTH PARENTS**  
11 **NAMED ON THE BIRTH CERTIFICATE OF THE CHILD, ONLY ONE AFFIDAVIT SIGNED**  
12 **BY BOTH PARENTS IS REQUIRED.**

13                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
14 October 1, 2020.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.