

The Senate Judiciary Committee offered the following substitute to SB 55:

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 15-11-103 of the Official Code of Georgia Annotated, relating to
2 placement of a child following an order terminating parental rights, custodial authority, and
3 review of placement, so as to correct the name of the Office of Adoptions; to amend Chapter
4 8 of Title 19 of the Official Code of Georgia Annotated, relating to adoption, so as to change
5 the provisions relating to access to records; to correct the name of the Office of Adoptions;
6 to change the provisions relating to contents and furnishing of records and reports; to provide
7 for adoption by a child's great-grandparent; to change provisions relating to the time for
8 hearing a petition and forwarding copies of the petition and other documents; to provide for
9 a copy of the investigating agent's report to the petitioner's attorney; to change the provisions
10 relating to the powers and duties of the Department of Human Resources and child-placing
11 agencies; to provide for disclosure of certain information and the practices, procedures, and
12 requirements related thereto; to amend Chapter 10 of Title 31 of the Official Code of Georgia
13 Annotated, relating to vital records, so as to change provisions relating to birth certificates
14 of adopted persons born in foreign countries; to change the provisions relating to the contents
15 of certificates and to reports and records; to change provisions relating to practices and
16 procedures; to provide for applicability; to provide an effective date; to repeal conflicting
17 laws; and for other purposes.

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

19 Code Section 15-11-103 of the Official Code of Georgia Annotated, relating to placement
20 of a child following an order terminating parental rights, custodial authority, and review of
21 placement, is amended by striking subsection (b) and inserting in lieu thereof the following:
22

23 "(b) The court shall transmit a copy of every final order terminating the parental rights of
24 a parent to the ~~Division of Family and Children Services Adoption Unit~~ Office of
25 Adoptions of the Department of Human Resources within 15 days of the filing of such
26 order."

SECTION 2.

Chapter 8 of Title 19 of the Official Code of Georgia Annotated, relating to adoption, is amended by striking subsection (j) of Code Section 19-8-5, relating to the surrender or termination of parental or guardian's rights when the child is to be adopted by a third party, and inserting in lieu thereof the following:

"(j) A copy of each surrender specified in subsection (a) of this Code section, together with a copy of the acknowledgment specified in subsection (f) of this Code section and a copy of the affidavits specified in subsections (g) and (h) of this Code section and the name and address of each person to whom the child is surrendered, shall be mailed, by registered or certified mail or statutory overnight delivery, return receipt requested, to the

~~State Adoption Unit~~ Office of Adoptions
Georgia Department of Human Resources
Atlanta, Georgia

within 15 days from the execution thereof. Upon receipt of the copy the department may commence its investigation as required in Code Section 19-8-16."

SECTION 3.

Said chapter is further amended in Code Section 19-8-7, relating to adoption of a child by relatives, by striking subsection (a) and inserting in lieu thereof the following:

"(a) Except as otherwise authorized in this Code section, a child who has any living parent or guardian may be adopted by a relative who is related by blood or marriage to the child as a grandparent, great-grandparent, aunt, uncle, great aunt, great uncle, or sibling only if each such living parent and each such guardian has voluntarily and in writing surrendered to that relative and any spouse of such relative all of his or her rights to the child for the purpose of enabling that relative and any such spouse to adopt the child."

SECTION 4.

Said chapter is further amended by striking Code Section 19-8-14, relating to the time for hearing a petition and sending a copy of the petition to the Department of Human Resources, and inserting in lieu thereof the following:

"19-8-14.

(a) It is the policy of this state that, in the best interest of the child, uncontested adoption petitions should be heard as soon as possible but not later than 90 days after the date of filing, unless the petitioner has failed to arrange for the court to receive the report required by the provisions of Code Section 19-8-16 or has otherwise failed to provide the court with all exhibits, surrenders, or certificates required by this chapter within that time period. It is the policy of this state that, in contested adoption petitions, the parties shall make every

1 effort to have the petition considered by the court as soon as practical after the date of filing
2 taking into account the circumstances of the petition and the best interest of the child.

3 (b) Upon the filing of the petition for adoption, accompanied by the filing fee unless such
4 fee is waived, it shall be the responsibility of the clerk to accept the petition as filed.

5 (c) Upon the filing of the petition for adoption the court shall fix a date upon which the
6 petition shall be considered, which date shall be not less than 60 45 days from the date of
7 the filing of the petition or, when Code Section 19-8-10 is relied upon, not less than 30
8 days from the receipt of notice as provided in subsection (c) of Code Section 19-8-10.

9 (d) Notwithstanding the provisions of subsections (a) and (c) of this Code section, it shall
10 be the petitioner's responsibility to request that the court hear the petition on a date that
11 allows sufficient time for fulfillment of notice requirements of Code Section 19-8-10 and
12 19-8-12, where applicable.

13 (e) In the best interest of the child the court may hear the petition less than 45 days from
14 the date of filing upon a showing by the petitioner that either no further notice is required
15 or that any statutory requirement of notice to any person will be fulfilled at an earlier date,
16 and provided that any report required by Code Section 19-8-16 has been completed or will
17 be completed at an earlier date.

18 (f) The court in the child's best interest may grant such expedited hearings or continuances
19 as may be necessary for completion of applicable notice requirements, investigations, and
20 reports or for other good cause shown.

21 (g) Copies of the petition, the order fixing the date upon which the petition shall be
22 considered, and all exhibits, surrenders, or certificates required by this chapter shall be
23 forwarded by the clerk to the department within 15 days after the filing of the petition for
24 adoption, together with a request that a report and investigation be made as required by
25 law.

26 (h) Copies of the petition, the order fixing the date upon which the petition shall be
27 considered, and all exhibits, surrenders, or certificates required by this chapter shall be
28 forwarded by the clerk to the child-placing agency or other agent appointed by the court
29 pursuant to the provisions of Code Section 19-8-16 within 15 days after the filing of the
30 petition for adoption, together with a request that a report and investigation be made as
31 required by law.

32 (i) Copies of all motions, amendments, and other pleadings filed and of all orders entered
33 in connection with the petition for adoption shall be forwarded by the clerk to the
34 department within 15 days after such filing or entry."

1 examination. Notwithstanding the foregoing, if the adoptee who is the subject of the
 2 records sought to be examined is less than 18 years of age at the time the petition is filed
 3 and the petitioner is someone other than one of the adoptive parents of the adoptee, then
 4 the department shall provide written notice of such proceedings to the adoptive parents by
 5 certified mail or statutory overnight delivery, return receipt requested, at the last address
 6 the department has for such adoptive parents and the court shall continue any hearing on
 7 the petition until not less than 60 days after the date the notice was sent. Each such
 8 adoptive parent shall have the right to appear in person or through counsel and show cause
 9 why such records should not be examined. Adoptive parents may provide the department
 10 with their current address for purposes of receiving notice under this subsection by mailing
 11 that address to:

12 Adoption Unit Office of Adoptions
 13 Department of Human Resources
 14 Atlanta, Georgia"

15 SECTION 7.

16 Said chapter is further amended by striking subsection (d) of Code Section 19-8-23, relating
 17 to records of adoption, examination of such records by parties and attorneys, and use of such
 18 information, and inserting in its place the following:

19 "(d)(1) Upon the request of a party at interest in the adoption or of a provider of medical
 20 services to such a party when certain information is necessary because of a medical
 21 emergency or for medical diagnosis or treatment, the department or child-placing agency
 22 may, in its sole discretion, ~~petition the Superior Court of Fulton County to obtain~~ access
 23 ~~to~~ its own records on finalized adoptions for the purpose of adding subsequently obtained
 24 medical information or ~~to release~~ releasing nonidentifying medical information contained
 25 in its records on such adopted persons.

26 (2) Upon receipt by the Office of Adoptions of the department or by a child-placing
 27 agency of documented medical information relevant to an adoptee, the office or
 28 child-placing agency shall use reasonable efforts to contact the adoptive parents of the
 29 adoptee or the adoptee if he or she is 18 years of age or older and provide such
 30 documented medical information to the adoptive parents or the adoptee. The office or
 31 child-placing agency shall be entitled to reimbursement of reasonable costs for postage
 32 and photocopying incurred in the delivery of such documented medical information to
 33 the adoptive parents or adoptee."

SECTION 8.

Said chapter is further amended by striking subsection (f) of Code Section 19-8-23, relating to records of adoption, examination of such records by parties and attorneys, and use of such information, and inserting in its place the following:

"(f)(1) Notwithstanding Code Section 19-8-1, for purposes of this subsection, the term:

(A) 'Commissioner' means the commissioner of ~~the Department of Human Resources~~ human resources or that person's designee.

(B) 'Department' means the Department of Human Resources or, when the Department of Human Resources so designates, the county department of family and children services which placed for adoption the person seeking, or on whose behalf is sought, information under this subsection.

(C) 'Placement agency' means the child-placing agency, as defined in paragraph (3) of Code Section 19-8-1, which placed for adoption the person seeking or on whose behalf is sought information under this subsection.

(D) 'Biological parent' means the biological mother or biological father who surrendered that person's rights or had such rights terminated by court order giving rise to the adoption of the child.

(2) The department or a placement agency, upon the written request of an adopted person who has reached ~~21~~ 18 years of age or upon the written request of an adoptive parent on behalf of that parent's adopted child ~~under 21 years of age~~, shall release to such adopted person or to the adoptive parent on the child's behalf nonidentifying information regarding such adopted person's biological parents and information regarding such adopted person's birth. Such information may include the date and place of birth of the adopted person and the genetic, social, and health history of the biological parents. No information released pursuant to this ~~subsection~~ paragraph shall include the name or address of either biological parent or the name or address of any relative by birth or marriage of ~~the~~ either biological parent.

(3)(A) The department or a placement agency upon written request of an adopted person who has reached 21 years of age shall release to such adopted person the name of such person's biological parent if:

~~(A)~~(i) The biological parent whose name is to be released has submitted unrevoked written permission to the department or the placement agency for the release of that parent's name to the adopted person;

~~(B)~~(ii) The identity of the biological parent submitting permission for the release of that parent's name has been verified by the department or the placement agency; and

1 ~~(C)(iii)~~ The department or the placement agency has records pertaining to the
 2 finalized adoption and to the identity of the biological parent whose name is to be
 3 released.

4 (B) If the adopted person is deceased and leaves a child, such child, upon reaching 21
 5 years of age, may seek the name and other identifying information concerning his or
 6 her grandparents in the same manner as the deceased adopted person and subject to the
 7 same procedures contained in this Code section.

8 (4)(A) If a biological parent has not filed written unrevoked permission for the release
 9 of that parent's name to the adopted child, the department or the placement agency,
 10 within six months of receipt of the written request of the adopted person who has
 11 reached 21 years of age, shall make diligent effort to notify each biological parent
 12 identified in the original adoption proceedings or in other records of the department or
 13 the placement agency relative to the adopted person. For purposes of this
 14 subparagraph, 'notify' means a personal and confidential contact with each biological
 15 parent ~~named on the original birth certificate~~ of the adopted person. The contact shall
 16 ~~not be by mail and~~ shall be by an employee or agent of the placement agency which
 17 processed the pertinent adoption or by other agents or employees of the department.
 18 The contact shall be evidenced by the person who notified each parent certifying to the
 19 department that each parent was given the following information:

- 20 (i) The nature of the information requested by the adopted person;
- 21 (ii) The date of the request of the adopted person;
- 22 (iii) The right of each biological parent to file ~~within 60 days of receipt of the notice~~
 23 an affidavit with the placement agency or the department stating that such parent's
 24 identity should not be disclosed;
- 25 (iv) The right of each biological parent to file a consent to disclosure with the
 26 placement agency or the department ~~at any time~~; and
- 27 (v) The effect of a failure of each biological parent to file either a consent to
 28 disclosure or an affidavit stating that the information in the ~~original birth certificate~~
 29 ~~or sealed adoption file~~ should not be disclosed.

30 (B) If a biological parent files an unrevoked consent to the disclosure of that parent's
 31 identity, such parent's name shall be released to the adopted ~~child~~ person who has
 32 requested such information as authorized by this paragraph.

33 ~~(C) If, subsequent to being notified by the department or placement agency, a~~
 34 ~~biological parent has not filed an unrevoked consent to the disclosure of that parent's~~
 35 ~~identity at any time within six months after the written request for such information is~~
 36 ~~received by the department or placement agency or such parent has filed with the~~
 37 ~~department or placement agency within 60 days after notice to such person of the~~

1 ~~request for such information an affidavit objecting to such release, whichever occurs~~
 2 ~~later, that information regarding that biological parent will not be released. If, within~~
 3 ~~60 days of being notified by the department or the placement agency pursuant to~~
 4 ~~subparagraph (A) of this paragraph, a biological parent has filed with the department~~
 5 ~~or placement agency an affidavit objecting to such release, information regarding that~~
 6 ~~biological parent shall not be released.~~

7 (D)(i) ~~If six months after receipt of the adopted person's written request the director~~
 8 ~~of a placement agency or the commissioner certifies that the placement agency or the~~
 9 ~~department has either been unable to notify a biological parent identified in the~~
 10 ~~original adoption record ~~within six months after receipt of the adopted person's~~~~
 11 ~~~~written request and if neither identified biological parent has at any time filed an~~~~
 12 ~~~~unrevoked consent to disclosure with the placement agency or the department or has~~~~
 13 ~~~~been able to notify a biological parent identified in the original adoption record but~~~~
 14 ~~~~has not obtained a consent to disclosure from the notified biological parent, then~~~~
 15 ~~identity of a biological parent may only be disclosed as provided in division (ii) or~~
 16 ~~(iii) of this subparagraph.~~

17 (ii) The adopted person who has reached 21 years of age may petition the Superior
 18 Court of Fulton County to seek the release of the identity of each of that person's
 19 biological ~~parent~~ parents from the department or placement agency. The court shall
 20 grant the petition if the court finds that the department or placement agency has made
 21 diligent efforts to locate each biological parent pursuant to this subparagraph either
 22 without success or upon locating a biological parent has not obtained a consent to
 23 disclosure from the notified biological parent and that failure to release the identity
 24 of each biological parent would have an adverse impact upon the physical, mental, or
 25 emotional health of the adopted person.

26 (iii) If it is verified that ~~the~~ a biological parent of the adopted person is deceased ~~and~~
 27 ~~if there is no sibling of the adopted person who may be contacted,~~ the department or
 28 placement agency shall be authorized to disclose the name and place of burial of the
 29 deceased biological parent, if known, to the adopted person seeking such information
 30 without the necessity of obtaining a court order.

31 (5)(A) Upon written request of an adopted person who has reached 21 years of age or
 32 a person who has reached 21 years of age and who is the sibling of an adopted person,
 33 the department or a placement agency shall attempt to identify and notify the siblings
 34 of the requesting party, if such siblings are at least 18 years of age. Upon locating the
 35 requesting party's sibling, the department or the placement agency shall notify the
 36 sibling of the inquiry. Upon the written consent of ~~the~~ a sibling so notified, the
 37 department or the placement agency shall forward the requesting party's name and

1 address to the sibling and, upon further written consent of the sibling, shall divulge to
 2 the requesting party the present name and address of the sibling. ~~If the a sibling is~~
 3 ~~deceased~~ or cannot be identified or located, the department or placement agency shall
 4 notify the requesting party of such circumstances but shall not disclose any names or
 5 other information which would tend to identify the sibling. If a sibling is deceased, the
 6 department or placement agency shall be authorized to disclose the name and place of
 7 burial of the deceased sibling, if known, to the requesting party without the necessity
 8 of obtaining a court order.

9 (B)(i) If six months after receipt of the written request from an adopted person who
 10 has reached 21 years of age or a person who has reached 21 years of age and who is
 11 the sibling of an adopted person, the placement agency or the department has either
 12 been unable to notify one or more of the siblings of the requesting party or has been
 13 able to notify a sibling of the requesting party but has not obtained a consent to
 14 disclosure from the notified sibling, then the identity of the siblings may only be
 15 disclosed as provided in division (ii) of this subparagraph.

16 (ii) The adopted person who has reached 21 years of age or a person who has reached
 17 21 years of age and who is the sibling of an adopted person may petition the Superior
 18 Court of Fulton County to seek the release of the last known name and address of
 19 each of the siblings of the petitioning sibling, that are at least 18 years of age, from
 20 the department or placement agency. The court shall grant the petition if the court
 21 finds that the department or placement agency has made diligent efforts to locate such
 22 siblings pursuant to subparagraph (A) of this paragraph either without success or upon
 23 locating one or more of the siblings has not obtained a consent to disclosure from all
 24 the notified siblings and that failure to release the identity and last known address of
 25 said siblings would have an adverse impact upon the physical, mental, or emotional
 26 health of the petitioning sibling.

27 (C) If the adopted person is deceased and leaves a child, such child, upon reaching 21
 28 years of age, may obtain the name and other identifying information concerning the
 29 siblings of his or her deceased parent in the same manner that the deceased adopted
 30 person would be entitled to obtain such information pursuant to the procedures
 31 contained in this Code section.

32 (6)(A) Upon written request of a biological parent of an adopted person who has
 33 reached 21 years of age, the department or a placement agency shall attempt to identify
 34 and notify the adopted person. Upon locating the adopted person, the department or the
 35 placement agency shall notify the adopted person of the inquiry. Upon the written
 36 consent of the adopted person so notified, the department or the placement agency shall
 37 forward the biological parent's name and address to the adopted person and, upon

1 further written consent of the adopted person, shall divulge to the requesting biological
2 parent the present name and address of the adopted person. If the adopted person is
3 deceased, the department or placement agency shall be authorized to disclose the name
4 and place of burial of the deceased adopted person, if known, to the requesting
5 biological parent without the necessity of obtaining a court order.

6 (B)(i) If six months after receipt of the written request from a biological parent of an
7 adopted person who has reached 21 years of age the placement agency or the
8 department has either been unable to notify the adopted person or has been able to
9 notify the adopted person but has not obtained a consent to disclosure from the
10 notified adopted person, then the identity of the adopted person may only be disclosed
11 as provided in division (ii) of this subparagraph.

12 (ii) The biological parent of an adopted person who has reached 21 years of age may
13 petition the Superior Court of Fulton County to seek the release of the last known
14 name and address of the adopted person from the department or placement agency.
15 The court shall grant the petition if the court finds that the department or placement
16 agency has made diligent efforts to locate such adopted person pursuant to
17 subparagraph (A) of this paragraph either without success or upon locating the
18 adopted person has not obtained a consent to disclosure from the adopted person and
19 that failure to release the identity and last known address of said adopted person
20 would have an adverse impact upon the physical, mental, or emotional health of the
21 petitioning biological parent.

22 (C) If the biological parent is deceased, a parent or sibling of the deceased biological
23 parent, or both, may obtain the name and other identifying information concerning the
24 adopted person in the same manner that the deceased biological parent would be
25 entitled to obtain such information pursuant to the procedures contained in this Code
26 section.

27 (7) If an adoptive parent or the sibling of an adopted person notifies the department or
28 placement agency of the death of an adopted person, the department or placement agency
29 shall add information regarding the date and circumstances of the death to its records so
30 as to enable it to share such information with a biological parent or sibling of the adopted
31 person if they make an inquiry pursuant to the provisions of this Code section.

32 (8) If a biological parent or parent or sibling of a biological parent notifies the
33 department or placement agency of the death of a biological parent or a sibling of an
34 adopted person, the department or placement agency shall add information regarding the
35 date and circumstances of the death to its records so as to enable it to share such
36 information with an adopted person or sibling of the adopted person if he or she makes
37 an inquiry pursuant to the provisions of the Code section.

1 ~~(6)~~(9) The ~~Division of Family and Children Services Adoption Unit~~ Office of Adoptions
 2 within the department shall maintain a registry for the recording of requests by adopted
 3 persons for the name of any biological parent, for the recording of the written consent or
 4 the written objections of any biological parent to the release of that parent's identity to
 5 an adopted person upon the adopted person's request, and for nonidentifying information
 6 regarding any biological parent which may be released pursuant to paragraph (2) of this
 7 subsection. The department and any placement agency which receives such requests,
 8 consents, or objections shall file a copy thereof with that ~~unit~~ office.

9 ~~(7)~~(10) The department or placement agency may charge a reasonable fee to be
 10 determined by the department for the cost of conducting any search pursuant to this
 11 subsection.

12 ~~(8)~~(11) Nothing in this subsection shall be construed to require the department or
 13 placement agency to disclose to any party at interest, including but not limited to an
 14 adopted person who has reached 21 years of age, any information which is not kept by
 15 the department or the placement agency in its normal course of operations relating to
 16 adoption.

17 ~~(9)~~(12) Any department employee or employee of any placement agency who releases
 18 information or makes authorized contacts in good faith and in compliance with this
 19 subsection shall be immune from civil or criminal liability for such release of information
 20 or authorized contacts.

21 ~~(10)~~(13) Information authorized to be released pursuant to this subsection may be
 22 released under the conditions specified in this subsection notwithstanding any other
 23 provisions of law to the contrary.

24 ~~(11)~~(14) A placement agency which demonstrates to the department by clear and
 25 convincing evidence that the requirement that such agency search for or notify any
 26 biological parent, ~~or sibling, or adopted person~~ under subparagraph (A) of paragraph (4)
 27 of this subsection or subparagraph (A) of paragraph (5) of this subsection or
 28 subparagraph (A) of paragraph (6) of this subsection will impose an undue hardship upon
 29 that agency shall be relieved from that responsibility, and the department shall assume
 30 that responsibility upon such finding by the department of undue hardship. The
 31 department's determination under this subsection shall be a contested case within the
 32 meaning of Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act.'

33 ~~(12)~~(15) Whenever this subsection authorizes both the department and a placement
 34 agency to perform any function or requires the placement agency to perform any function
 35 which the department is also required to perform, the department or agency may
 36 designate an agent to perform that function and in so performing it the agent shall have

1 the same authority, powers, duties, and immunities as an employee of the department or
2 placement agency has with respect to performing that function."

3 SECTION 9.

4 Chapter 10 of Title 31 of the Official Code of Georgia Annotated, relating to vital records,
5 is amended by striking Code Section 31-10-13, relating to certificates of adoption, and
6 inserting in its place the following:

7 "31-10-13.

8 (a) For each adoption decreed by a court of competent jurisdiction in this state, the court
9 shall require the preparation of a report of adoption on a form prescribed and furnished by
10 the state registrar. The report shall include such facts as are necessary to locate and identify
11 the original certificate of birth of the person adopted; shall provide information necessary
12 to establish a new certificate of birth of the person adopted; and shall identify the order of
13 adoption and be certified by the clerk of court.

14 (b) Information necessary to prepare the report of adoption shall be furnished by ~~each~~ the
15 petitioner for adoption or the petitioner's attorney. The appropriate agency or any person
16 having knowledge of the facts shall supply the court with such additional information as
17 may be necessary to complete the report. The provision of such information shall be
18 prerequisite to the issuance of a final decree in the matter by the court.

19 (c) Whenever an adoption decree is amended or annulled, the clerk of the court shall
20 prepare a report thereof, which shall include such facts as are necessary to identify the
21 original adoption report and the facts amended in the adoption decree as shall be necessary
22 to amend the birth record properly.

23 (d) Not later than the fifteenth day of each calendar month or more frequently, as directed
24 by the state registrar, the clerk of the court shall forward to the state registrar reports of
25 decrees of adoption, annulment of adoption, and amendments of decrees of adoption which
26 were entered in the preceding month, together with such related reports as the state registrar
27 shall require.

28 (e) When the state registrar shall receive a certificate of adoption, report of annulment of
29 adoption, or amendment of a decree of adoption of a person born outside this state, the state
30 registrar shall forward such certificate or report to the state registrar in the indicated state
31 of birth.

32 (f) The following shall apply to certificates of birth of adopted persons born in a foreign
33 country:

34 (1) If a person was born in a foreign country, is not a citizen of the United States, and
35 does not meet the requirements of the federal Child Citizenship Act of 2000, P.L.
36 106-395, 114 Stat. 1631, but was adopted through a court in this state, the The state

1 registrar shall prepare and register ~~establish~~ a certificate in this state ~~of birth~~ for a person
 2 born in a foreign country when the state registrar receives a certificate of adoption and
 3 ~~the child was not a United States citizen at birth.~~ The certificate of adoption shall specify
 4 ~~the actual place of birth which shall be shown as the place of birth on the birth certificate.~~
 5 ~~The new birth certificate shall be prepared on a 'Certificate of Foreign Birth' as prescribed~~
 6 ~~by the state registrar shall be established upon receipt of a report of adoption from the~~
 7 ~~court decreeing the adoption and proof of the date and place of birth of the child. The~~
 8 ~~certificate shall be labeled 'Certificate of Foreign Birth' and shall show the actual country~~
 9 ~~of birth. A statement shall also be included on the certificate indicating that it is not~~
 10 ~~evidence of United States citizenship for the person for whom it is issued. After~~
 11 ~~registration of the birth certificate in the new name of the adopted person, the state~~
 12 ~~registrar shall seal and file the report of adoption which shall not be subject to inspection~~
 13 ~~except upon order of a court of competent jurisdiction or as provided by statute; and~~
 14 (2) If a person was born in a foreign country and was not a citizen of the United States
 15 at the time of birth but meets the requirements of the federal Child Citizenship Act of
 16 2000, P.L. 106-395, 114 Stat. 1631, and was adopted through a court in this state, the
 17 state registrar shall prepare and register a certificate in this state. The certificate shall be
 18 established upon receipt of a report of adoption from the court decreeing the adoption and
 19 proof of the date and place of birth of the child. The certificate shall be labeled
 20 'Certificate of Foreign Birth' and shall show the actual country of birth. After registration
 21 of the birth certificate in the new name of the adopted person, the state registrar shall seal
 22 and file the report of adoption which shall not be subject to inspection except upon order
 23 of a court of competent jurisdiction or as provided by statute; and
 24 ~~(2)(3)~~ (3) If a person was born in a foreign country and was a citizen of the United States at
 25 the time of birth, the state registrar shall not prepare a 'Certificate of Foreign Birth' and
 26 shall notify the adoptive parents of the procedure for obtaining a revised birth certificate
 27 for their child through the United States Department of State."

28 SECTION 10.

29 Said chapter is further amended by striking Code Section 31-10-14, relating to issuance of
 30 a new certificate of birth following adoption and legitimation or paternity determination, and
 31 inserting in its place the following:

32 "31-10-14.

33 (a) The state registrar shall establish a new certificate of birth for a person born in this state
 34 when the state registrar receives the following:

35 (1) A report of adoption as provided in Code Section 31-10-13 or a report of adoption
 36 prepared and filed in accordance with the laws of another state or foreign country, or a

1 certified copy of the decree of adoption, together with the information necessary to
 2 identify the original certificate of birth and to establish a new certificate of birth. A new
 3 certificate of birth shall not be established if the court decreeing the adoption directs that
 4 a new birth certificate not be issued; or

5 (2) A request that a new certificate be established as prescribed by regulation and such
 6 evidence as required by regulation proving that such person has been legitimated, or that
 7 a court of competent jurisdiction has determined the paternity of such a person, or that
 8 both parents married to each other have acknowledged the paternity of such person and
 9 request that the surname be changed to that of the father.

10 (b) When a new certificate of birth is established pursuant to this Code section for a person
 11 born in this state, the ~~exact~~ date of birth contained on the original certificate shall be
 12 shown. The true place of birth shall be shown if the adoptee is the natural child of the
 13 spouse of the adoptive parent in the case of step-parent adoptions. The true place of birth
 14 shall be shown for all legitimations. For full adoptions, where neither parent is the natural
 15 parent of the adoptee, the place of birth shall be, at the election of the adoptive parents,
 16 either the true place of birth of the adoptee or the residence of the adoptive parents at the
 17 time of the adoptee's birth. The place of birth indicated must be located in Georgia. ~~The~~
 18 ~~new certificate shall be substituted for the original certificate of birth and the evidence of~~
 19 ~~adoption, legitimation, paternity determination, or paternity acknowledgment shall be~~
 20 ~~sealed and shall not be subject to inspection except upon order of a court of competent~~
 21 ~~jurisdiction or as provided by regulation.~~

22 (c) Upon receipt of a report of an amended decree of adoption, the certificate of birth shall
 23 be amended as provided by regulation.

24 (d) Upon receipt of a report or decree of annulment of adoption, the original certificate of
 25 birth shall be restored to its place in the files and the new certificate and evidence shall not
 26 be subject to inspection except upon order of a court of competent jurisdiction or as
 27 provided by regulation.

28 (e) If no certificate of birth is on file for the person for whom a new birth certificate is to
 29 be established under this Code section and the date and place of birth have not been
 30 determined in the adoption, legitimation, or paternity proceedings, a delayed certificate of
 31 birth shall be filed with the state registrar as provided in Code Section 31-10-11 or
 32 31-10-12 before a new certificate of birth is established. The new birth certificate shall be
 33 prepared on the delayed birth certificate form.

34 (f) When a new certificate of birth is established by the state registrar, the original birth
 35 certificate shall not be subject to inspection except as provided in subsection (g) of this
 36 Code section. ~~at~~ All copies of the original certificate of birth in the custody of any other

