

The House Committee on Judiciary offers the following substitute to SB 263:

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 10 of Title 31 of the Official Code of Georgia Annotated, relating to vital
2 records, so as to provide for certified copies of orders and registration of legitimations and
3 paternity orders; to provide for duties of courts, the Office of State Administrative Hearings,
4 petitioners, clerks of courts, and the state registrar; to provide for establishing a new
5 certificate of birth in the case of legitimations and paternity orders; to change a provision
6 relating to the authority needed to change paternity on a birth certificate; to provide an
7 effective date; to repeal conflicting laws; and for other purposes.

8 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

9 **SECTION 1.**

10 Chapter 10 of Title 31 of the Official Code of Georgia Annotated, relating to vital records,
11 is amended by adding a new Code Section 31-10-13.1 to read as follows:

12 "31-10-13.1.

13 (a) For each legitimation, annulment of legitimation, and amendment of an order of
14 legitimation decreed by a court of competent jurisdiction in this state, the clerk of the court
15 shall not later than the fifteenth day of each calendar month or more frequently, as directed
16 by the state registrar, forward to the state registrar a certified copy of each order of
17 legitimation, annulment of legitimation, and amendment of an order of legitimation which
18 was entered in the preceding month. Each order of legitimation, annulment of legitimation,
19 and amendment of an order of legitimation shall comply with paragraph (2) of subsection
20 (c) of Code Section 31-10-23.

21 (b) When the state registrar receives a certified copy of the order of legitimation, annulment
22 of legitimation, or amendment of an order of legitimation of a person born outside this
23 state, the state registrar shall forward such certified copy of the order to the state registrar
24 in the indicated state of birth."

1 both parents married to each other have acknowledged the paternity of such person and
2 request that the surname be changed to that of the father."

3 **SECTION 4.**

4 Said chapter is further amended in Code Section 31-10-23, relating to amendment of
5 certificates or reports, by striking subsection (c) and inserting in lieu thereof the following:

6 "(c)(1) Upon receipt of a certified copy of an order to legitimate a child, or an affidavit
7 signed by the natural parents whose marriage had legitimated a child, the director shall
8 register a new birth certificate if paternity was not shown on the original certificate. Such
9 certificate shall not be marked 'amended.'

10 (2) If paternity was shown on the original certificate, the record can be changed only by
11 an order from ~~the superior court~~ a court of competent jurisdiction or the Office of State
12 Administrative Hearings to remove the name of the person shown on the certificate as the
13 father and to add the name of the natural father and to show the child as the legitimate
14 child of the person so named. The order must specify the name to be removed and the
15 name to be added."

16 **SECTION 5.**

17 This Act shall become effective July 1, 2006.

18 **SECTION 6.**

19 All laws and parts of laws in conflict with this Act are repealed.