
ASSEMBLY BILL NO. 375—ASSEMBLYMEN HANSEN AND KRAMER

MARCH 20, 2019

Referred to Committee on Health and Human Services

SUMMARY—Revises provisions governing birth certificates.
(BDR 40-707)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in **bolded italics** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to birth certificates; allowing an adopted person to obtain a noncertified copy of his or her original certificate of birth in certain circumstances; requiring the State Registrar to unseal certain documents as required to produce such a noncertified copy of a certificate of birth; requiring the State Registrar to charge and collect a fee for providing such a document; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing law, when the State Registrar receives certain reports of the adoption of a person born in this State, the State Registrar must prepare a supplementary certificate of birth which shows the adoptive parents as the parents, and must seal and file the report and the original certificate of birth. Such sealed documents may be opened only upon an order of the court that issued the adoption decree. (NRS 440.310) **Section 1** of this bill authorizes an adopted person who is at least 21 years of age and was born in this State to apply, without a court order, to the State Registrar for a noncertified copy of the person's original certificate of birth. Such a person must provide proof to the State Registrar: (1) of his or her age and place of birth; and (2) that his or her natural parents are deceased. The noncertified copy of the person's original certificate of birth must be clearly marked "noncertified" and may only contain the: (1) full name given to the person at birth; (2) full names of the natural parents, and their ages at the time of the birth; (3) date of the birth; and (4) county of the birth. **Section 2** of this bill makes a conforming change to require the State Registrar, without a court order, to unseal the necessary documents to prepare a noncertified copy of an original certificate of birth and then reseal the documents. **Section 3** of this bill provides that the State Registrar shall charge and collect a fee, to be set in regulation, for the preparation of a noncertified copy of an original certificate of birth.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 440 of NRS is hereby amended by adding thereto a new section to read as follows:

1. An adopted person who is 21 years of age or older and was born in this State may apply to the State Registrar for a noncertified copy of his or her original certificate of birth pursuant to this section.

2. The State Registrar shall provide a noncertified copy of the applicant's original certificate of birth if the applicant submits to the State Registrar proof satisfactory to the State Registrar that the:

(a) Applicant is 21 years or age or older and was born in this State; and

(b) Natural parents whose names appear on the original certificate of birth of the applicant are deceased.

3. The State Registrar shall unseal any documents sealed pursuant to NRS 440.310 that are necessary to carry out the provisions of this section. Any such documents must be resealed once the State Registrar has carried out the provisions of this section.

4. A noncertified copy of an original certificate of birth provided pursuant to this section must:

(a) Be similar in form to a certificate of birth;

(b) Be clearly and distinctly marked "Noncertified"; and

(c) Contain only the:

(1) Full name given to the person at birth;

(2) Full names of the natural parents of the person;

(3) Ages of the natural parents at the time of the birth;

(4) Date when the person was born; and

(5) County in which the person was born.

Sec. 2. NRS 440.310 is hereby amended to read as follows:

440.310 1. Whenever the State Registrar receives a certified report of adoption or amendment of adoption filed in accordance with the provisions of NRS 127.157 or the laws of another state or foreign country, or a certified copy of the adoption decree, concerning a person born in Nevada, the State Registrar shall prepare and file a supplementary certificate of birth in the new name of the adopted person which shows the adoptive parents as the parents and seal and file the report or decree and the original certificate of birth.

2. Whenever the State Registrar receives a certified report of adoption, amendment or annulment of an order or decree of



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1 adoption from a court concerning a person born in another state, the
2 District of Columbia, the Commonwealth of Puerto Rico, a territory
3 or possession of the United States, or Canada, the report must be
4 forwarded to the office responsible for vital statistics in the person's
5 place of birth.

6 3. Whenever the State Registrar receives a certified report of
7 adoption or amendment of adoption filed in accordance with the
8 provisions of NRS 127.157 concerning a person born in a foreign
9 country other than Canada, the State Registrar shall, if the State
10 Registrar receives evidence that:

11 (a) The person being adopted is a citizen of the United States;
12 and

13 (b) The adoptive parents are residents of Nevada,
14 ➤ prepare and file a supplementary certificate of birth as described
15 in subsection 1 and seal and file the report.

16 4. ~~{Sealed}~~ *Except as otherwise provided in section 1 of this*
17 *act, sealed* documents may be opened only upon an order of the
18 court issuing the adoption decree, expressly so permitting, pursuant
19 to a petition setting forth the reasons therefor.

20 5. Except as otherwise provided in subsection 2, upon the
21 receipt of a certified copy of a court order of annulment of adoption,
22 the State Registrar shall seal and file the order and supplementary
23 certificate of birth and, if the person was born in Nevada, restore the
24 original certificate to its original place in the files.

25 **Sec. 3.** NRS 440.700 is hereby amended to read as follows:

26 440.700 1. Except as otherwise provided in this section, the
27 State Registrar shall charge and collect a fee in an amount
28 established by the State Registrar by regulation:

29 (a) For searching the files for one name, if no copy is made.

30 (b) For verifying a vital record.

31 (c) For establishing and filing a record of paternity, other than a
32 hospital-based paternity, and providing a certified copy of the new
33 record.

34 (d) For a certified copy of a record of birth.

35 (e) *For a noncertified copy of a certificate of birth as provided*
36 *pursuant to section 1 of this act.*

37 (f) For a certified copy of a record of death originating in a
38 county in which the board of county commissioners has not created
39 an account for the support of the office of the county coroner
40 pursuant to NRS 259.025.

41 ~~{(f)}~~ (g) For a certified copy of a record of death originating in a
42 county in which the board of county commissioners has created an
43 account for the support of the office of the county coroner pursuant
44 to NRS 259.025.



~~(g)~~ (h) For correcting a record on file with the State Registrar and providing a certified copy of the corrected record.

~~(h)~~ (i) For replacing a record on file with the State Registrar and providing a certified copy of the new record.

~~(i)~~ (j) For filing a delayed certificate of birth and providing a certified copy of the certificate.

~~(j)~~ (k) For the services of a notary public, provided by the State Registrar.

~~(k)~~ (l) For an index of records of marriage provided on microfiche to a person other than a county clerk or a county recorder of a county of this State.

~~(l)~~ (m) For an index of records of divorce provided on microfiche to a person other than a county clerk or a county recorder of a county in this State.

~~(m)~~ (n) For compiling data files which require specific changes in computer programming.

2. The fee collected for furnishing a copy of a certificate of birth or death *or a noncertified copy of a certificate of birth* must include the sum of \$3 for credit to the Children's Trust Account created by NRS 432.131.

3. The fee collected for furnishing a copy of a certificate of death must include the sum of \$1 for credit to the Review of Death of Children Account created by NRS 432B.409.

4. The fee collected for furnishing a copy of a certificate of death must include the sum of 50 cents for credit to the Grief Support Trust Account created by NRS 439.5132.

5. The State Registrar shall not charge a fee for furnishing a certified copy of a record of birth to:

(a) A homeless person who submits a signed affidavit on a form prescribed by the State Registrar stating that the person is homeless.

(b) A person who submits documentation from the Department of Corrections verifying that the person was released from prison within the immediately preceding 90 days.

6. The fee collected for furnishing a copy of a certificate of death originating in a county in which the board of county commissioners has created an account for the support of the office of the county coroner pursuant to NRS 259.025 must include the sum of \$1 for credit to the account for the support of the office of the county coroner of the county in which the certificate originates.

7. Upon the request of any parent or guardian, the State Registrar shall supply, without the payment of a fee, a certificate limited to a statement as to the date of birth of any child as disclosed by the record of such birth when the certificate is necessary for admission to school or for securing employment.



- 1 8. The United States Bureau of the Census may obtain, without
2 expense to the State, transcripts or certified copies of births and
3 deaths without payment of a fee.
4 **Sec. 4.** This act becomes effective on July 1, 2019.

