

State of Wisconsin



2013 Assembly Bill 17

Date of enactment: April 23, 2014
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2013 WISCONSIN ACT 379

AN ACT to renumber 48.94; to amend 69.15 (2) (a) (intro.); and to create 48.94 (2) and 69.15 (2) (d) of the statutes; relating to: the restoration of information from an original birth certificate after adoption.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 48.94 of the statutes is renumbered 48.94 (1).

SECTION 2. 48.94 (2) of the statutes is created to read:
48.94 (2) If the court issues an order under s. 69.15 (2) (d) to restore the information from an adoptee's original birth certificate, the state registrar shall issue a new birth certificate containing the information from the adoptee's original birth certificate, except for the adoptee's given name at birth, if different. The restoration of any birth parent's name on the adoptee's birth certificate does not do any of the following:

- (a) Affect the legal relationship of parent and adoptee that was created by the order of adoption.
- (b) Restore any legal rights or any legal relationship that terminated upon the order of adoption.
- (c) Change the adoptee's legal name.

SECTION 3. 69.15 (2) (a) (intro.) of the statutes is amended to read:

69.15 (2) (a) (intro.) Except as provided under par. (b), if the state registrar receives an order under sub. (1) which provides for an adoption, the state registrar shall prepare, under sub. (6), a new certificate for the subject of the adoption unless the adoptive parents or the subject of the adoption requests, under s. 48.94 (1), that no new certificate be prepared. If the order is from a court in this

state, the order shall include a certified copy of the original birth certificate registered for the subject of the adoption. The new certificate shall show:

SECTION 4. 69.15 (2) (d) of the statutes is created to read:

69.15 (2) (d) 1. A court shall order the state registrar to prepare for the subject of a birth certificate a new birth certificate based on the information on the subject's original birth certificate if all of the following circumstances apply:

- a. The subject of the birth certificate petitions the court for a new birth certificate.
- b. The subject is an adult who was the subject of an adoption.
- c. The subject did not have the opportunity under par. (a), at the time of the adoption, to request that no new birth certificate be prepared.
- d. The subject knows the identity of each birth parent who is named on his or her original birth certificate.
- e. Each birth parent who is alive and who is named on the subject's original birth certificate does not object to the restoration of the information on the subject's original birth certificate.

2. If the court grants an order under subd. 1., the state registrar shall prepare under sub. (6) a new birth certificate using all of the information contained on the original birth certificate, except for the adoptee's given name at birth, if different.

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

3. After preparing a new birth certificate under subd. 2., the state registrar shall follow the procedure under sub. (6) (b) to impound all other birth certificates of the subject except the subject's new birth certificate.
