



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

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STEPHEN R. MILLER
CHIEF

September 5, 2013

MEMORANDUM

To: Senator Jauch

From: Tamara Dodge, Legislative Attorney, (608) 267-7380

Subject: Technical Memorandum to **2013 SB 272** (LRB-2953/1) by **DHS**

We received the attached technical memorandum relating to your bill. This copy is for your information and your file.

If you wish to discuss this memorandum or the necessity of revising your bill or preparing an amendment, please contact me.

Date: August 30, 2013

To: Tamara Dodge
Legislative Attorney

From: Liz Hartjes
Department of Health Services
266-9363

Re: Technical Note to LRB-2953/1 (2013 SB 272)

As drafted, 2013 SB 272 would require the state registrar to issue a new birth certificate with information from the subject's original birth certificate, if ordered by the court. It is our understanding that the intent of the bill is to enable an adoptee to have the new certificate include the name of the adoptee's birth parents, and other information from the original certificate. If the individual's legal name is different than his or her name at birth, the re-issuance of the original birth certificate with the original birth name may be interpreted as a mechanism for a legal name change. We assume that the bill does not intend the re-issuance of the original birth certificate to serve as a means to make a legal name change. If an individual wishes to have his or her legal name changed, the individual is required to follow a separate civil court process to change his or her legal name.

In addition, language should also be added to require that the adopted birth certificate be impounded once the new birth certificate is released. This requirement is needed to ensure that only one birth certificate is in the State Vital Records system for that individual.