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HOUSE BILL NO. 2717

Offered January 10, 2007

Prefiled January 10, 2007

A BILL to amend and reenact § 32.1-271 of the Code of Virginia, relating to acknowledgments of paternity; certified copies.

Patron—Barlow

Referred to Committee on Health, Welfare and Institutions

Be it enacted by the General Assembly of Virginia:

1. That § 32.1-271 of the Code of Virginia is amended and reenacted as follows:

§ 32.1-271. Disclosure of information in records; when unlawful; when permitted; proceeding to compel disclosure; when certain records made public.

A. To protect the integrity of vital records and to ensure the efficient and proper administration of the system of vital records, it shall be unlawful, notwithstanding the provisions of §§ 2.2-3700 through 2.2-3714, for any person to permit inspection of or to disclose information contained in vital records or to copy or issue a copy of all or part of any such vital records except as authorized by this section or regulation of the Board or when so ordered by a court of this Commonwealth.

B. Data contained in vital records may be disclosed for valid and substantial research purposes in accordance with the regulations of the Board.

C. Any person aggrieved by a decision of a county or city registrar may appeal to the State Registrar. If the State Registrar denies disclosure of information or inspection of or copying of vital records, such person may petition the court of the county or city in which he resides if he resides in the Commonwealth or in which the recorded event occurred or the Circuit Court of the City of Richmond, Division I, for an order compelling disclosure, inspection or copying of such vital record. The State Registrar or his authorized representative may appear and testify in such proceeding.

D. When 100 years have elapsed after the date of birth, or 50 years have elapsed after the date of death, marriage, or divorce, the records of these events in the custody of the State Registrar may become public information and be made available in accordance with regulations that shall provide for the continued safekeeping of the records. All records that are public information on July 1, 1983, shall continue to be public information.

E. The State Registrar or the city or county registrar shall disclose data about or issue a certified copy of a birth certificate of a child to the grandparent of the child upon the written request of the grandparent when the grandparent has demonstrated to the State Registrar evidence of need, as prescribed by Board regulation, for the data or birth certificate.

F. Either of the parties who executed a sworn statement or acknowledgment of paternity filed pursuant to § 20-49.1, 32.1-257, or 63.2-1914, or the appropriate local office of the Department of Social Services if it is providing services to the child who is the subject of the statement or acknowledgment, may request, and the State Registrar shall provide, a certified copy of the sworn statement or acknowledgment of paternity.

INTRODUCED

HB2717