

# SENATE BILL REPORT

## SB 5403

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As Reported By Senate Committee On:  
Health & Long-Term Care, February 28, 2005

**Title:** An act relating to limiting the disclosure of birth certificates.

**Brief Description:** Limiting the disclosure of birth certificates.

**Sponsors:** Senators Delvin, Parlette, Swecker, Stevens, Honeyford, Benson and Mulliken.

**Brief History:**

**Committee Activity:** Health & Long-Term Care: 2/3/05, 2/28/05 [DPS-WM].

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### SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

**Majority Report:** That Substitute Senate Bill No. 5403 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Keiser, Chair; Thibaudeau, Vice Chair; Benson, Brandland, Franklin, Kastama, Kline, Parlette and Poulsen.

**Staff:** Stephanie Yurcisin (786-7438)

**Background:** The Washington State Birth Certificate Program has information about each baby born in Washington State. Certified copies of a birth certificate may be obtained through the Department of Health's Center for Health Statistics.

A person seeking a certified copy of a birth certificate must provide the following information: the child's full name, date of birth, and place of birth; the father's full name if it appears on the record; and the mother's maiden name. The requester must provide his or her name, mailing address, and a daytime phone number. State law does not specifically require the presentation of picture identification to obtain a birth certificate, and birth certificates may be ordered via the internet or mail.

Most other states have either placed restrictions on who has access to a copy of a person's birth certificate or require identification in order to obtain a copy of a birth certificate.

There is concern that the lack of identification requirements for those requesting birth certificates could make identity theft easier.

**Summary of Substitute Bill:** A person requesting a copy of a birth record must provide either one form of government-issued photo identification or two forms of non-photographic identification which contain the person's signature. The applicant would also be required to state his or her purpose for requesting the record and his or her relationship to the registrant. These requirements do not apply to agencies if the birth certificate will be used for the agencies' official duties.

Paper or electronic copies of birth certificates must only be released to: the registrant; a parent or legal guardian of the registrant; to the registrant's spouse, adult sibling, grandparent, or adult descendant; to an authorized representative of a family member; to an attorney representing the registrant; to a member of a law enforcement agency who is conducting official business; and to any person or agency empowered by statute or appointed by a court to act on the registrant's behalf.

Birth certificate records become public documents upon the registrant's death.

**Substitute Bill Compared to Original Bill:** The substitute bill allows an authorized representative who has notarized permission from a family member to receive a certified copy of the birth certificate. It also specifies that birth certificate records become public documents upon the individual's death. Government agencies that will be using the certificates for official duties are not required to meet the "relationship and purpose" requirements.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** The current system is not very secure - anyone can walk up and get another person's birth certificate, which makes identity theft much easier, especially since the birth certificate is the document often required to be able to obtain other forms of identification. We need to tighten up the process so that the certificates can only be obtained for legitimate purposes. However, the language should be amended to still allow the sale of heirloom birth certificates, which is a fundraiser for child abuse and neglect prevention.

**Testimony Against:** None.

**Who Testified:** PRO: Senator Jerome Delvin, prime sponsor; Kristen Rogers, Washington Council for Prevention of Child Abuse and Neglect.