

26: 8-40.10

LEGISLATIVE HISTORY CHECKLIST

(State Registrar of Vital Statistics -  
Certificates of birth data for certain children)

WJSA 26:8-40.10

LAWS OF 1979

CHAPTER 236

Bill No. A3081

Sponsor(s) Curran and others

Date Introduced Jan. 30, 1979

Committee: Assembly Institutions, Health & Welfare

Senate Institutions, Health & Welfare

Amended during passage Yes

Amendments during passage  
denoted by asterisks.  
Assembly Committee Substitute  
enacted.

Date of Passage: Assembly May 3, 1979

Senate June 21, 1979

Date of approval Dec. 3, 1979

Following statements are attached if available:

Sponsor statement Yes

Committee Statement: Assembly Yes

Senate Yes

Fiscal Note  Yes  No

Veto message  Yes  No

Message on signing Yes

Following were printed:

Reports  Yes  No

Hearings  Yes  No

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12-3-79

[OFFICIAL COPY REPRINT]  
 ASSEMBLY COMMITTEE SUBSTITUTE FOR  
**ASSEMBLY, No. 3081**

**STATE OF NEW JERSEY**

ADOPTED APRIL 26, 1979

By Assemblywoman CURRAN, Assemblymen VISOTCKY, OTLOWSKI, LESNIAK, DiFRANCESCO, SNEDEKER and Assemblywoman GARVIN

AN ACT authorizing the State Registrar of Vital Statistics to issue certificates of birth for certain persons under certain circumstances and amending P. L. 1957, c. 154.

1 BE IT ENACTED *by the Senate and General Assembly of the State*  
 2 *of New Jersey:*

1 1. Section 1 of P. L. 1957, c. 154 (C. 26:8-40.10) is amended to  
 2 read as follows:

3 1. The birth of any child which has occurred or which may here-  
 4 after occur outside of the United States, where such child is a citizen  
 5 of the United States by reason of the citizenship of a parent or  
 6 the parents of such child, and which is not recorded with the State  
 7 registrar under the provisions of chapter 8 of Title 26 of the Re-  
 8 vised Statutes *\*or with the appropriate State official in any other*  
 9 *state within the United States\**, may be recorded by filing a cer-  
 10 tificate of the birth of such child issued by a public official of the  
 11 place where such child was born, accompanied by an affidavit setting  
 12 forth the facts showing such citizenship and, in the case of a child  
 13 adopted outside of *this State or the United States*, the decree or  
 14 certificate of adoption of such child, which affidavit and decree or  
 15 certificate shall be a part of the record of the birth. In case any  
 16 such foreign birth certificate is or shall be in a foreign language,  
 17 there shall be attached to it the translation into the English lan-  
 18 guage of the same, verified by the affidavit of the person making the  
 19 translation. Any such birth certificate may be recorded as herein  
 20 provided upon the request of a parent of such child or by any  
 21 person on behalf of such child\*, *provided that the parent or other*  
 22 *person is a New Jersey resident,\** where the child is or shall become  
 23 a resident of this State. The State registrar shall, upon the request  
 24 of a parent of any such child who is adopted outside of *this State or*

25 the United States or the request of any person on behalf of such  
26 child, issue a new certificate of birth for such child, showing  
27 (a) the name of such child as changed by the decree or certificate  
28 of adoption, if changed, (b) the date and place of birth, (c) the  
29 names of the adopting parents or parent, and (d) the date of re-  
30 cording of the foreign birth certificate.

1 2. This act shall take effect immediately.

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## STATEMENT

Hundreds of foreign born children have been adopted by New Jersey residents over the past few years. Many of these children were adopted in other states, primarily through agencies which brought them into this country by parents who are residents of New Jersey.

For children so adopted in other states, neither a New Jersey birth certificate nor a certificate of birth data from another state can be obtained.

This bill will allow foreign born children adopted by New Jersey residents in this State, another state, or a foreign jurisdiction to be granted a New Jersey Certificate of Birth Data upon receipt of proper proof of such adoption. These certificates would be accepted in lieu of a birth certificate for all educational, governmental, or other needs.

A3081 (1979)

**ASSEMBLY INSTITUTIONS, HEALTH AND WELFARE  
COMMITTEE**

**STATEMENT TO  
ASSEMBLY COMMITTEE SUBSTITUTE FOR  
ASSEMBLY, No. 3081**

**STATE OF NEW JERSEY**

**DATED: APRIL 26, 1979**

The committee recognized that foreign born children adopted by New Jersey residents in this State or a foreign jurisdiction are presently granted birth certificates upon proper proof of adoption.

However, a New Jersey Certificate of Birth is not available for foreign born children adopted in another state. Many New Jersey residents, in turning to adoption agencies specializing in foreign born orphans, are likely to apply for an adoption decree in the states where such adoption agencies are located. The committee believes that the Assembly Committee Substitute addresses this problem.

SENATE INSTITUTIONS, HEALTH AND WELFARE  
COMMITTEE

STATEMENT TO  
ASSEMBLY COMMITTEE SUBSTITUTE FOR

**ASSEMBLY, No. 3081**

with Senate committee amendments

**STATE OF NEW JERSEY**

DATED: JUNE 14, 1979

This bill authorizes the State Registrar to issue a birth certificate for foreign born children who are adopted outside of this State by New Jersey residents.

The committee recognized that because the State Registrar is authorized to issue certificates of birth for foreign born children adopted outside of the United States, the registrar should also be authorized to issue certificates of birth for foreign born children adopted in another state within the United States.

The committee amended the bill to ensure that a New Jersey certificate of birth be granted only when a) no other state has registered the adopted child's birth and b) the parents of the adopted child are New Jersey residents.

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FROM THE OFFICE OF THE GOVERNOR

FOR IMMEDIATE RELEASE

DECEMBER 3, 1979

FOR FURTHER INFORMATION:

KATHRYN FORSYTH

Governor Brendan Byrne has signed A-3081, sponsored by Assemblywoman Barbara Curran (R-Union) which permits foreign-born children adopted in another state by New Jersey residents to be granted a New Jersey birth certificate.

The certificate will be issued by the State Bureau of Vital Statistics upon the filing of a birth certificate issued by a public official of the actual place of the child's birth, an affidavit establishing citizenship and a decree or certification of adoption.

Under prior law, foreign-born children adopted in New Jersey or in a foreign jurisdiction could be granted New Jersey birth certificates, but foreign-born children adopted through an agency in another state could not.

Although the New Jersey certificate of birth for a foreign child is not considered valid proof of citizenship, the birth certificate is sometimes required in addition to adoption papers to enroll a child in school.

The Governor also signed A-3256, sponsored by Assemblyman Thomas Gallo (D-Hudson), authorizing the City of Union City to appoint Henry N. Calandrillo to the rank of sergeant in the police department.

Calandrillo, a Union City police officer, had passed the sergeant's exam, but then in 1970 was elected to the Board of Commissioners of Union City. He was eligible for promotion in 1972 but declined in order to maintain his position as Commissioner and did not take the sergeant's exam in 1973.

He returned to active duty as a police officer in 1974 and in 1978 again passed the promotional exam for sergeant.

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