



March 12, 2024

The Honorable Melissa H. Wiklund
Chair, Senate Committee on Health and Human Services
95 University Avenue W.
Minnesota Senate Bldg., Room 2107
St. Paul, MN 55155

RE: SF4860—REQUEST AMENDMENT

Dear Chair Wiklund and Members of the Committee:

I am a Minnesota attorney who represents adult adopted people in Minnesota and throughout the United States. I am considered a national expert on issues related to identity documents, birth certificates, and U.S. citizenship for adult adopted people.

I take no specific position on the overall merits of Minnesota's safe place for newborns law. Rather, **I write to request specific amendments to SF4860.** As currently drafted, the bill will in part permanently seal any original birth records for abandoned newborns, making those records unavailable to the registrant except by court order. I am asking that you revise sections 4 and 5 of the bill so that the original birth record, if created, and any founding report be made available to the child upon request when he or she is at least 18 years of age. I have attached suggested language to accomplish this.

The state last year corrected its practice of making birth records of adopted people unavailable to them as adults. I ask that the state continue to honor the need for all adults to possess the facts of their own births, however difficult those facts may be. Given expected advancements in direct-to-consumer DNA testing by the year 2042---when relinquished infants under this bill will become 18 years of age--- the suggested changes are a practical if not simple recognition of reality. I ask that you revise the bill to take these concerns and issues into consideration.

Best regards,

ADOPTEE RIGHTS LAW CENTER PLLC

Gregory D. Luce

AMENDMENT REQUESTED TO SF4860 (AS INTRODUCED)

Sec. 4. Minnesota Statutes 2022, section 144.216, is amended by adding a subdivision to read:

Subd. 4. Status of safe place birth reports and registrations. (a) Information about a safe place newborn registered under subdivision 3 shall constitute the record of birth for the child. The record shall be **private data on individuals pursuant to section 13.02, subdivision 12.** Information on the birth record or a birth certificate issued from the birth record shall be disclosed only to the responsible social services agency, **to the child upon request when the child is at least 18 years of age,** or pursuant to a court order.

(b) Information about a safe place newborn registered under subdivision 3, shall constitute the record of birth for the child. If the safe place newborn was born in a hospital and it is known that a record of birth was registered, filed, or amended, the original birth record registered under section 144.215 shall be replaced pursuant to section 144.218, subdivision 6.

Sec. 5. Minnesota Statutes 2022, section 144.218, is amended by adding a subdivision to read:

Subd. 6. Safe place newborn; birth record. If a safe place infant birth is registered pursuant to section 144.216, subdivision 4, paragraph (b), the state registrar shall issue a replacement birth record free of information which identifies a parent. The prior vital record shall be **private data on individuals pursuant to section 13.02, subdivision 12,** and shall not be disclosed except **to the child upon request when the child is at least 18 years of age or** pursuant to court order.