

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1967



ENROLLED

HOUSE BILL No. 663

(By Mr. Gayne)



PASSED March 10, 1967

In Effect Ninety days from Passage



FILED IN THE OFFICE
ROBERT D. BAILEY
SECRETARY OF STATE
THIS DATE 3-20-67

#663

ENROLLED
House Bill No. 663
(By MR. SAYRE)

[Passed March 10, 1967; in effect ninety days from passage.]

AN ACT to amend and reenact section four, article four, chapter forty-eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to recordation of decree; fees; disposition of records; names of adopting parents not to be disclosed; certificate for state registrar of vital statistics; birth certificate; and requiring said records of adoption to be kept in locked or sealed cabinet.

Be it enacted by the Legislature of West Virginia:

That section four, article four, chapter forty-eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 4. ADOPTION.

§48-4-4. Recordation of decree; fees; disposition of records; names of adopting parents not to be disclosed; certificate for state registrar of vital statistics; birth certificate.

1 The decree shall be recorded in a book kept for that
2 purpose, and the clerk shall receive the same fees as in
3 other cases in the circuit court or juvenile court, as the
4 case may be. All records of proceedings in adoption
5 cases and all papers and records relating to such pro-
6 ceedings shall be kept in a sealed file, which file shall be
7 kept in a locked or sealed cabinet, vault or other con-
8 tainer and shall not be open to inspection or copy by
9 anyone, except upon court order for good cause shown.
10 No person in charge of adoption records shall disclose the
11 names of the adopting parent or parents or adopted child
12 except by court order. The clerk of the court keeping
13 and maintaining the records in adoption cases shall keep
14 and maintain an index of such cases separate and distinct
15 from all other indices kept or maintained by him, and the
16 index of adoption cases shall be kept in a locked or sealed
17 cabinet, vault or other container and shall not be open

18 to inspection or copy by anyone, except upon court order
19 for good cause shown. Immediately upon the entry of
20 such a decree of adoption, the court shall direct the clerk
21 thereof forthwith to make and deliver to the state regis-
22 trar of vital statistics a certificate under the seal of said
23 court, showing:

24 (1) The date and place of birth of the adoptee, if
25 known;

26 (2) The names of the natural parents of the adoptee,
27 if known;

28 (3) The name by which said child has previously been
29 known;

30 (4) The names and addresses of the adopting parents;

31 (5) The name by which the child is to be thereafter
32 known; and

33 (6) Such other information from the record of said
34 adoption proceedings as may be required by the law of
35 this state relating to vital statistics and as may enable
36 the state registrar of vital statistics to carry out the duty
37 imposed upon him by this section.

38 Upon receipt of said certificate, the said registrar of

39 vital statistics shall forthwith issue and deliver by mail
40 to the adopting parents at their last-known address and
41 to the clerk of the county court of the county wherein
42 such decree of adoption was entered a birth certificate
43 in the form required by law, except that the name of
44 the adoptee shown in said certificate shall be the name
45 given him by the decree of adoption. Such county court
46 clerk shall record such birth in the manner provided by
47 chapter sixteen, article five, section nineteen of this code.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

William Tompkins
Chairman Senate Committee

Clayton C. Davidson
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

Howard Thayer
Clerk of the Senate

A. Blankenship
Clerk of the House of Delegates

Howard E. Carson
President of the Senate

H. Loken White
Speaker House of Delegates

The within approved this the 17
day of March, 1967.

Herbert Smith
Governor



**PRESENTED TO THE
GOVERNOR**

Date 3/17/67

Time 9:30am