

SOUGHT WAS BORN IN THIS STATE, THE COURT SHALL MAKE FINDINGS AS TO PARENTAGE AND PLACE AND DATE OF BIRTH AND ANY OTHER FINDINGS THAT THE CASE REQUIRES AND SHALL ORDER THE SECRETARY TO ESTABLISH A RECORD OF BIRTH. THE ORDER SHALL INCLUDE THE FINDINGS TO BE ENTERED IN THE RECORD OF BIRTH AND THE DATE OF THE COURT ACTION.

(3) ON OR BEFORE THE TENTH DAY OF EACH MONTH, EACH CLERK OF COURT SHALL SEND TO THE SECRETARY EACH COURT ORDER FOR A DELAYED CERTIFICATE OF BIRTH THAT WAS ENTERED DURING THE PRECEDING MONTH.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 43, § 17(b).

In subsection (b)(1) of this section, reference to rejection by "the Secretary" is substituted for the imprecise reference to a rejection "under the regulations adopted pursuant to § 17(b)(1)", for clarity. This substitution is based on the provisions of this subtitle that require filing with and registration by the Secretary and is supported by subsection (b)(2) of this section, which requires the court order to be directed to the Secretary. See also COMAR 10.03.01.03C, which states that evidence for a delayed birth registration is not "finally approved unless accepted by the Secretary."

Also in subsection (b)(1) of this section, the reference to ordering "the establishment of a record" is substituted for "an order establishing a record", for consistency with subsection (b)(2) of this section, which indicates that the Secretary establishes the record in accordance with the court order.

In subsection (b)(2) of this section, reference to the "findings to be entered in the record" is substituted for the reference to "birth data to be registered". This substitution reflects that the court may make findings in addition to parentage and place and date of birth. It also avoids a derivative of the defined term "registration", which applies to the certificate, rather than individual facts that the certificate contains.

Defined terms: "Birth" § 4-201
 "File" § 4-201 "Secretary" § 1-101
 "Includes"/"including" § 1-101
 "Person" § 1-101

4-211. NEW CERTIFICATES OF BIRTH.