



Fact Sheet on House Bill 2080

Equality Texas Supports HB 2080

Bill Number:	House Bill 2080
Bill Author:	Representative Rafael Anchia
Short description:	House Bill 2080 would remove the current requirement that only two parents of opposite sexes may be listed on an adopted child's birth certificate.
Committee Assignment:	Public Health
Current Status:	Scheduled for public hearing on 4/28/09

SUPPORTIVE STATEMENTS:

A child's birth certificate must accurately reflect who a child's legal parents are, regardless of the parents' gender. Refusing to issue a child a birth certificate does not solve problems. It only creates them.

Refusing to issue a child a birth certificate, or to recognize legal orders of adoption from another state, violates the United States Constitution.

It is wickedly wrong to use children as pawns in a political game.

QUICK FACTS:

At least one federal court has ruled that refusal to list both parents to a legal adoption from another state on a birth certificate is a violation of the full faith and credit clause of the U.S. Constitution. *Adar, et al. v. Smith*, "Order and Reasons" Case 2:07-cv-06541-JCZ-KWR (U.S. Dist. Court, E.D. La, Dec. 22, 2008)

Texas Courts are, now, routinely approving adoptions by two parents of the same sex, including same-sex partners, or grandparents adopting their own grandchildren. Adoption by two parents of the same sex is a fact of life in Texas.

The Texas Bureau of Vital Statistics has refused to issue birth certificates to children legally adopted by married couples—arguably because the BVS could not conclude which parent to list in the "father" or "mother" lines on the birth certificate. Without a birth certificate, the child is left in legal limbo, without the ability to get a passport, government benefits, a social security card, or register for school.