



310986

LEGISLATIVE ACTION

Senate

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House

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Floor: 1/AD/2R

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04/28/2009 02:36 PM

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Senator Wise moved the following:

**Senate Amendment (with title amendment)**

Delete lines 105 - 153

and insert:

(5)~~(4)~~ On filing the final judgment, the clerk of the court shall, if the birth occurred in this state, send a report of the judgment to the Office of Vital Statistics of the Department of Health on a form to be furnished by the department. The form must ~~shall~~ contain sufficient information to identify the original birth certificate of the person, the new name, and the file number of the judgment. This report shall be filed by the department with respect to a person born in this state and shall



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13 become a part of the vital statistics of this state. With  
14 respect to a person born in another state, the clerk of the  
15 court shall provide the petitioner with a certified copy of the  
16 final judgment.

17 ~~(6)-(5)~~ The clerk of the court must, upon the filing of the  
18 final judgment, send a report of the judgment to the Department  
19 of Law Enforcement on a form to be furnished by that department.  
20 The Department of Law Enforcement must send a copy of the report  
21 to the Department of Highway Safety and Motor Vehicles, which  
22 may be delivered by electronic transmission. The report must  
23 contain sufficient information to identify the petitioner,  
24 including the results of the criminal history records check if  
25 applicable ~~a set of the petitioner's fingerprints taken by a law~~  
26 ~~enforcement agency~~, the new name of the petitioner, and the file  
27 number of the judgment. Any information retained by the  
28 Department of Law Enforcement and the Department of Highway  
29 Safety and Motor Vehicles may be revised or supplemented by said  
30 departments to reflect changes made by the final judgment. With  
31 respect to a person convicted of a felony in another state or of  
32 a federal offense, the Department of Law Enforcement must send  
33 the report to the respective state's office of law enforcement  
34 records or to the office of the Federal Bureau of Investigation.  
35 The Department of Law Enforcement may forward the report to any  
36 other law enforcement agency it believes may retain information  
37 related to the petitioner. ~~Any costs associated with~~  
38 ~~fingerprinting must be paid by the petitioner.~~

39 ~~(7)-(6)~~ A husband and wife and minor children may join in  
40 one petition for change of name and the petition must ~~shall~~ show  
41 the facts required of a petitioner as to the husband and wife



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42 and the names of the minor children may be changed at the  
43 discretion of the court.

44 (8)~~(7)~~ When only one parent petitions for a change of name  
45 of a minor child, process shall be served on the other parent  
46 and proof of such service shall be filed in the cause; ~~provided,~~  
47 however, if ~~that where~~ the other parent is a nonresident,  
48 constructive notice of the petition may be given pursuant to  
49 chapter 49, and proof of publication shall be filed in the cause  
50 without the necessity of recordation.

51 (9)~~(8)~~ This section does not apply ~~Nothing herein applies~~  
52 to any change of name in proceedings for dissolution of marriage  
53 or for adoption of children.

54 Section 2. This act shall take effect October 1, 2009.

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56

57 ===== T I T L E A M E N D M E N T =====

58 And the title is amended as follows:

59 Delete lines 10 - 11

60 and insert:

61 records check to the clerk of the court; providing for  
62 use of the results by the clerk of the court;  
63 requiring the clerk of