

STATE OF OKLAHOMA

1st Session of the 49th Legislature (2003)

COMMITTEE SUBSTITUTE
FOR
SENATE BILL 340

By: Robinson

COMMITTEE SUBSTITUTE

[public health and safety - birth, death or
stillbirth certificates - penalties - codification -
emergency]

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-324.1 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. It shall be unlawful for any person to commit any of the following specified acts in relation to birth, death or stillbirth certificates issued by this state:

1. Create, issue, present or possess a fictitious birth, death or stillbirth certificate;

2. Apply for a birth, death or stillbirth certificate under false pretenses;

3. Alter information contained on a birth, death or stillbirth certificate;

4. Obtain, display or represent a birth certificate of any person as one's own by any person, other than the person named on the birth certificate;

5. Obtain, display or represent a fictitious death or stillbirth certificate for the purpose of fraud; or

6. Make a false statement or knowingly conceal a material fact or otherwise commit fraud in an application for a birth, death or stillbirth certificate.

B. It is a felony for any employee or person authorized to issue or create a birth, death or stillbirth certificate or related record under this title to knowingly issue such certificate or related record to a person not entitled thereto, or to knowingly create or record such certificate bearing erroneous information thereon.

C. A violation of any of the provisions of this section shall constitute a misdemeanor for a first offense, upon conviction, punishable by a fine not exceeding Ten Thousand Dollars (\$10,000.00). Any second or subsequent offense shall constitute a felony, upon conviction, punishable by a term of imprisonment in the State Penitentiary for a term not more than seven (7) years, by a fine of Ten Thousand Dollars (\$10,000.00), or by both such fine and imprisonment.

D. Notwithstanding any provision of this section, the State Commissioner of Health, or a designated agent, upon the request of a chief administrator of a health or law enforcement agency, may authorize the issuance, display or possession of a birth, death or stillbirth certificate, which would otherwise be in violation of this section, for the sole purpose of education with regard to public health or safety; provided, however, all such materials used shall be marked "void".

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

49-1-1122

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