

CS for SB 340

1 THE STATE SENATE  
2 Wednesday, February 19, 2003

3 Committee Substitute for  
4 Senate Bill No. 340

5 COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 340 - By: ROBINSON of the  
6 Senate and ASKINS of the House.

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

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

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

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

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

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

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

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

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

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

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

12          C. A violation of any of the provisions of this section shall  
13 constitute a misdemeanor for a first offense, upon conviction,  
14 punishable by a fine not exceeding Ten Thousand Dollars  
15 (\$10,000.00). Any second or subsequent offense shall constitute a  
16 felony, upon conviction, punishable by a term of imprisonment in the  
17 State Penitentiary for a term not more than seven (7) years, by a  
18 fine of Ten Thousand Dollars (\$10,000.00), or by both such fine and  
19 imprisonment.

20          D. Notwithstanding any provision of this section, the State  
21 Commissioner of Health, or a designated agent, upon the request of a  
22 chief administrator of a health or law enforcement agency, may  
23 authorize the issuance, display or possession of a birth, death or

1 stillbirth certificate, which would otherwise be in violation of  
2 this section, for the sole purpose of education with regard to  
3 public health or safety; provided, however, all such materials used  
4 shall be marked "void".

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

9 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 2-12-03 - DO  
10 PASS, As Amended and Coauthored.