

1 STATE OF OKLAHOMA

2 1st Session of the 51st Legislature (2007)

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL 554

6 By: Sparks

7 COMMITTEE SUBSTITUTE

8 An Act relating to public health and safety; amending
9 63 O.S. 2001, Section 1-321, as amended by Section
10 61, Chapter 116, O.S.L. 2006 (63 O.S. Supp. 2006,
11 Section 1-321), which relates to vital records;
12 modifying process for certain amendment; permitting
13 certain review; and providing an effective date.

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

15 SECTION 1. AMENDATORY 63 O.S. 2001, Section 1-321, as
16 amended by Section 61, Chapter 116, O.S.L. 2006 (63 O.S. Supp. 2006,
17 Section 1-321), is amended to read as follows:

18 Section 1-321. (a) A certificate or record registered under
19 this article may be amended only by filing an application to amend
20 such certificate or record with the State Department of Health in
21 accordance with ~~this article and the~~ regulations ~~thereunder~~ adopted
22 by the State Board of Health to protect the integrity and accuracy
23 of vital statistics records. Any person aggrieved by a final order
24 of the State Department of Health regarding an application to amend
a certificate or record under this article may appeal such final

1 order pursuant to Article II of the Administrative Procedures Act.
2 The jurisdiction of the district court for the amendment of a
3 certificate or record registered or issued under this article is
4 limited to appellate review only pursuant to Section 318 of Title 75
5 of the Oklahoma Statutes.

6 (b) A certificate that is amended under this section shall be
7 marked "amended", except as provided in subsection (d) of this
8 section. The date of amendment and a summary description of the
9 evidence submitted in support of the amendment shall be endorsed on
10 or made a part of the record. The Board shall prescribe by
11 regulation the conditions under which additions or minor corrections
12 shall be made to birth certificates within one (1) year after the
13 date of birth without the certificate being considered as amended.

14 (c) Upon receipt of a certified copy of a court order changing
15 the name of a person born in this state and upon request of such
16 person or his parent, guardian, or legal representative, the State
17 Commissioner of Health shall amend the certificate of birth to
18 reflect the new name.

19 (d) When a child is born out of wedlock, the Commissioner shall
20 amend a certificate of birth to show paternity, if paternity is not
21 currently shown on the birth certificate, in the following
22 situations:

23 (1) Upon request and receipt of a sworn acknowledgment of
24 paternity of a child born out of wedlock signed by both parents; or

1 (2) Upon receipt of a certified copy of a court order
2 establishing paternity.

3 (e) For a child born out of wedlock, the Commissioner shall also
4 change the surname of the child on the certificate:

5 (1) To the specified surname upon receipt of acknowledgment of
6 paternity signed by both parents or upon receipt of a certified copy
7 of a court order directing such name be changed. Such certificate
8 amended pursuant to this subsection shall not be marked "amended";
9 or

10 (2) To the surname of the mother on the birth certificate in the
11 event the acknowledgment of paternity is rescinded.

12 SECTION 2. This act shall become effective November 1, 2007.

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