

SENATE CHAMBER

STATE OF OKLAHOMA

DISPOSITION BY SENATE

FLOOR AMENDMENT

No. _____

(Date)

Mr./Madame President:

I move to amend House Bill No. 2995, by striking the title, enacting clause and entire body of the bill and substituting the attached floor substitute.

Submitted by:

Senator Sykes

Sykes-FA-JM-HB2995

4/23/2008 10:32 AM

1 STATE OF OKLAHOMA

2
3 2nd Session of the 51st Legislature (2008)

4
5 FLOOR SUBSTITUTE
6 FOR ENGROSSED
7 HOUSE BILL NO. 2995

8 By: Johnson (Dennis), Blackwell, Duncan,
9 Faught, Joyner, McMullen and
10 Reynolds of the House

11 and

12
13 Sykes of the Senate
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17 FLOOR SUBSTITUTE

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19 An Act relating to public health and safety; amending 63 O.S. 2001, Section
20 1-301, which relates to vital statistics; defining terms; creating the MISSing
21 Angels Act – Christopher and Kendall’s Law; providing for establishment of
22 certificate of birth resulting in stillbirth; providing for codification; and
23 providing an effective date.
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30 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

31 SECTION 1. AMENDATORY 63 O.S. 2001, Section 1-301, is amended to read as
32 follows:

33 Section 1-301. As used in this article:

34 1. "Vital statistics" means records of birth, death, fetal death and data related thereto;

35 2. "System of vital statistics" means the registration, collection, preservation, amendment and
36 certification of vital statistics records, and activities related thereto, including the tabulation, analysis
37 and publication of statistical data derived from such records;

1 3. "Filing" means the presentation of a certificate, report or other record provided for in this
2 article, of a birth, death, fetal death or adoption, for registration by the State Commissioner of
3 Health;

4 4. "Registration" means the acceptance by the State Commissioner of Health and the
5 incorporation in his official records of certificates, reports or other records provided for in this
6 article, of births, deaths, fetal deaths or adoptions;

7 5. "Live birth" means the complete expulsion or extraction from ~~its~~ the mother of a product of
8 human conception, irrespective of the duration of pregnancy, which, after such expulsion or
9 extraction, breathes or shows any other evidence of life such as beating of the heart, pulsation of the
10 umbilical cord or definite movement of voluntary muscles, whether or not the umbilical cord has
11 been cut or the placenta is attached;

12 6. "Stillbirth" or "stillborn child" means a fetal death;

13 7. "Certificate of birth resulting in stillbirth" means a certificate issued to memorialize a
14 stillborn child;

15 8. "Fetal death" means death prior to the complete expulsion or extraction from its mother of a
16 product of human conception after a period of gestation as prescribed by the State Board of Health.
17 The death is indicated by the fact that, after such expulsion or extraction, the fetus does not breathe
18 or show any other evidence of life such as beating of the heart, pulsation of the umbilical cord or
19 definite movement of voluntary muscles;

20 ~~7:~~ 9. "Dead body" means an individual who is determined to be dead pursuant to the
21 provisions of the Uniform Determination of Death Act;

22 ~~8:~~ 10. "Final disposition" means the burial, interment, cremation, or other disposition of a
23 dead body or fetus;

24 ~~9:~~ 11. "Physician" means a person who is a member of the class of persons authorized to use
25 the term "physician" pursuant to Section 725.2 of Title 59 of the Oklahoma Statutes; and

1 ~~10. 12.~~ "Institution" means any establishment, public or private, which provides inpatient
2 medical, surgical or diagnostic care or treatment, or nursing, custodial or domiciliary care, to two or
3 more unrelated individuals, or to which persons are committed by law.

4 SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes
5 as Section 1-318.1 of Title 63, unless there is created a duplication in numbering, reads as follows:

6 This act shall be known and may be cited as the "MISSing Angels Act – Christopher and
7 Kendall's Law".

8 SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes
9 as Section 1-318.2 of Title 63, unless there is created a duplication in numbering, reads as follows:

10 The State Registrar of Vital Statistics shall establish a certificate of birth resulting in stillbirth
11 to be offered to the parent or parents of a stillborn child. The medical staff treating the stillbirth
12 shall notify the parent of the ability to request the certificate. The certificate shall be available to
13 any parent of a stillborn child upon proper application. This certificate shall not be used as evidence
14 of live birth or for identification purposes.

15 SECTION 4. This act shall become effective November 1, 2008.

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17 51-2-3750 JM 4/23/2008 10:32:05 AM

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