

STATE OF OKLAHOMA

1st Session of the 55th Legislature (2015)

SENATE BILL 280

By: Stanislawski

AS INTRODUCED

An Act relating to birth certificates; amending 63 O.S. 2011, Section 1-311, which relates to filing and contents of certificates; requiring submission of certain information; and providing an effective date.

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

SECTION 1. AMENDATORY 63 O.S. 2011, Section 1-311, is amended to read as follows:

Section 1-311. A. A certificate of birth for each live birth which occurs in this state shall be filed with the State Registrar, within seven (7) days after the birth.

B. When a birth occurs in an institution, the person in charge of the institution or a designated representative shall obtain the personal data including, but not limited to, blood type, prepare the certificate, and secure the signatures required by the certificate. The physician in attendance shall certify to the facts of birth and provide the medical information including, but not limited to, blood type, required by the certificate within five (5) days after the birth.

1 C. When a birth occurs outside an institution, the certificate  
2 shall be prepared and filed by one of the following in the indicated  
3 order of priority:

4 1. The physician in attendance at or immediately after the  
5 birth;

6 2. Any other person in attendance at or immediately after the  
7 birth; or

8 3. The father, the mother, or, in the absence or inability of  
9 the father or mother, the person in charge of the premises where the  
10 birth occurred and present at the birth.

11 D. 1. If the mother was married at the time of conception and  
12 birth, the name of the husband shall be entered on the certificate  
13 as the father of the child unless paternity has been determined  
14 otherwise by a court of competent jurisdiction or a husband's denial  
15 of paternity form has been filed along with an affidavit  
16 acknowledging paternity, in which case the name of the father as  
17 determined by the court or affidavit acknowledging paternity shall  
18 be entered.

19 2. If the mother was not married at the time of conception and  
20 birth, the name of the father shall be entered on the certificate of  
21 birth only if:

- 22 a. a determination of paternity has been made by an  
23 administrative action through the Department of Human  
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1 Services or a court of competent jurisdiction, in  
2 which case the name of the father shall be entered, or  
3 b. the mother and father have signed an affidavit  
4 acknowledging paternity pursuant to Section 1-311.3 of  
5 this title, or substantially similar affidavit from  
6 another state and filed it with the State Registrar of  
7 Vital Statistics.

8 E. Either of the parents of the child shall sign the  
9 certificate of live birth worksheet to attest to the accuracy of the  
10 personal data entered thereon, in time to permit its filing within  
11 the seven (7) days prescribed in this section.

12 F. If the live birth results from a process in which the  
13 delivering mother was carrying the child of another woman by way of  
14 a prearranged legal contract, the original birth certificate shall  
15 be filed with the personal information of the woman who delivered  
16 the child. A new birth certificate will be placed on file once the  
17 State Registrar receives both a court order and a completed form  
18 prescribed by the State Registrar which identifies the various  
19 parties and documents the personal information of the intended  
20 parents necessary to complete the new birth certificate.

21 SECTION 2. This act shall become effective November 1, 2015.  
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