

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                               STATE OF OKLAHOMA

3                               2nd Session of the 58th Legislature (2022)

4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 3193

By: Williams and **Conley**

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8                               COMMITTEE SUBSTITUTE

9           An Act relating to birth certificates; amending 63  
10 O.S. 2021, Section 1-311, which relates to contents  
11 of a birth certificate; modifying requirement;  
12 requiring a father's name listed; and providing an  
13 effective date.

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

15           SECTION 1.           AMENDATORY           63 O.S. 2021, Section 1-311, is  
16 amended to read as follows:

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

20           B.   When a birth occurs in an institution, the person in charge  
21 of the institution or a designated representative shall obtain the  
22 personal data, prepare the certificate, and secure the signatures  
23 required by the certificate.   The physician in attendance shall  
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1 certify to the facts of birth and provide the medical information  
2 required by the certificate within five (5) days after the birth.

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

6 1. The physician in attendance at or immediately after the  
7 birth;

8 2. Any other person in attendance at or immediately after the  
9 birth; or

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

13 D. 1. If the mother was married at the time of birth, or  
14 married at any time during the three hundred (300) calendar days  
15 before the birth, the name of the husband shall be entered on the  
16 certificate as the father of the child unless paternity has been  
17 determined otherwise by a court of competent jurisdiction or a  
18 husband's denial of paternity form has been filed along with an  
19 affidavit acknowledging paternity, in which case the name of the  
20 father as determined by the court or affidavit acknowledging  
21 paternity shall be entered.

22 2. If the mother was not married at the time of birth, nor  
23 married at any time during the three hundred (300) calendar days  
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1 before the birth, the name of the father shall be entered on the  
2 certificate of birth only if:

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

13 This shall give the mother and father equal rights and  
14 obligations to the child. A child whose parentage has been  
15 determined as set forth shall be treated as a child of parents who  
16 were married at the time of the birth.

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

21 F. If the live birth results from a process in which the  
22 delivering mother was carrying the child of another woman by way of  
23 a prearranged legal contract, the original birth certificate shall  
24 be filed with the personal information of the woman who delivered

1 the child. A new birth certificate will be placed on file once the  
2 State Registrar receives both a court order and a completed form  
3 prescribed by the State Registrar which identifies the various  
4 parties and documents the personal information of the intended  
5 parents necessary to complete the new birth certificate.

6 SECTION 2. This act shall become effective November 1, 2022.  
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8 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY - CIVIL, dated  
9 03/01/2022 - DO PASS, As Amended and Coauthored.  
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