

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 SENATE BILL 280

By: Stanislawski

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6 AS INTRODUCED

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

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

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

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

17 B. When a birth occurs in an institution, the person in charge
18 of the institution or a designated representative shall obtain the
19 personal data including, but not limited to, blood type, prepare the
20 certificate, and secure the signatures required by the certificate.
21 The physician in attendance shall certify to the facts of birth and
22 provide the medical information including, but not limited to, blood
23 type, required by the certificate within five (5) days after the
24 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
24

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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