

2023 -- S 0960

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO HEALTH AND SAFETY -- VITAL RECORDS

Introduced By: Senators E Morgan, and DeLuca

Date Introduced: May 01, 2023

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 23-3-10 of the General Laws in Chapter 23-3 entitled "Vital Records"

2 is hereby amended to read as follows:

3 **23-3-10. Birth registration.**

4 (a) A certificate of birth for each live birth which occurs in this state shall be filed with the
5 state registrar of vital records, or as otherwise directed by the state registrar, within four (4) days
6 after that birth.

7 (b) When a birth occurs in an institution, the person in charge of the institution, or his or
8 her designated representative, shall obtain the personal data; prepare the certificate; secure the
9 signatures required by the certificate; and file it with the state registrar of vital records, or as
10 otherwise directed by the state registrar. The physician and/or midwife in attendance, or his or her
11 authorized designee as defined in department regulations, shall certify to the facts of birth and
12 provide the medical information required by the certificate within three (3) days after the birth.

13 (c) When a birth occurs outside an institution, the certificate shall be prepared and filed by
14 one of the following in the indicated order of priority:

15 (1) The physician in attendance at, or immediately after, the birth, or in the absence of a
16 physician;

17 (2) Any other person in attendance at, or immediately after, the birth, or in the absence of
18 any person in attendance at or immediately after the birth;

19 (3) The father, the mother, or, in the absence of the father and the inability of the mother,

1 the person in charge of the premises where the birth occurred.

2 (4) When a birth occurs in a moving conveyance, the place of birth shall be that address in
3 the city or town where the child is first removed from the conveyance.

4 (d)(1) If the mother was married either at the time of conception or birth, the name of the
5 husband shall be entered on the certificate as the father of the child unless paternity has been
6 determined otherwise by a court of competent jurisdiction, in which case the name of the father as
7 determined by the court shall be entered.

8 (2) [Deleted by P.L. 2020, ch. 59, § 3 and P.L. 2020, ch. 60, § 3].

9 (e) The state registrar shall not decline to register and/or issue any birth certificate or
10 certified copy of any birth certificate on the grounds that medical or health information collected
11 for statistical purposes has not been supplied.

12 (f) The biological sex designation on a certificate of birth shall be either male or female
13 and shall not be nonbinary or any symbol representing a nonbinary designation, including, but not
14 limited to, the letter "X".

15 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T
RELATING TO HEALTH AND SAFETY -- VITAL RECORDS

- 1 This act would limit the biological sex designation on a certificate of birth to male or female
- 2 and would prohibit a nonbinary designation.
- 3 This act would take effect upon passage.

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