

1 COMMITTEE SUBSTITUTE

2 FOR

3 **Senate Bill No. 277**

4 (By Senators Miller, D. Hall, Laird, Williams and Kirkendoll)

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6 [Originating in the Committee on Health and Human Resources;
7 reported February 4, 2015.]
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11 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
12 designated §16-5-20a, relating to a certificate of birth resulting in stillbirth.

13 *Be it enacted by the Legislature of West Virginia:*

14 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new
15 section, designated §16-5-20a, to read as follows:

16 **ARTICLE 5. VITAL STATISTICS.**

17 **§16-5-20a. Certificate of birth resulting in stillbirth.**

18 (a) Following a report of fetal death as required by section twenty of this article, either the
19 mother or father of a stillborn child may request that a certificate of birth resulting in stillbirth be
20 issued by the State Registrar. A certificate may only be requested by the mother of the child if:

- 21 (1) the child has not been legitimized;
22 (2) a court has not determined the paternity of the child;
23 (3) if no father has been identified; or

1 (4) if the child was conceived as a result of a sexual assault as defined in article eight-B of
2 chapter sixty-one of this code.

3 (b) The State Registrar is permitted to charge a fee for the issuance of the certificate. The
4 fee shall be the same as the fee for a death certificate issued by the State Registrar.

5 (c) The certificate shall include, but is not limited to:

6 (1) Name of the stillborn child;

7 (2) Date of delivery;

8 (3) County of delivery;

9 (4) Mother's name and birthplace;

10 (5) Father's name and birthplace; and

11 (6) The statement: "This certificate is not proof of live birth."

12 (d) The certificate does not affect the registration, filing or record requirements of this article,
13 nor does the issuance of the certificate impose upon a coroner or medical examiner any additional
14 duties to conduct an investigation.

NOTE: The purpose of this bill is to create a certificate of birth resulting in stillbirth following the reporting of fetal death.

§16-5-20a is new; therefore, strike-throughs and underscoring have been omitted.