

Senate Bill No. 277

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

[Introduced January 21, 2015; referred to the Committee on Health and Human Resources; and

then to the Committee on the Judiciary.]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §16-5-20a, relating to a certificate of birth resulting in stillbirth; and creating "Noah's Law".

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 5. VITAL STATISTICS.

§16-5-20a. Noah's Law: Certificate of birth resulting in stillbirth.

(a) Upon request from the mother or father, the State Registrar shall issue a certificate of birth resulting in stillbirth for any fetal death previously filed with the department. If the father is not identified on the fetal death record or the child was conceived during a criminal act, only the mother is permitted to request the certificate of birth resulting in stillbirth. The fee for issuance shall be the same as the fee for a death certificate issued by the State Registrar. The certificate shall include, but

1 is not limited to:

2 (1) Name of the stillborn child;

3 (2) Date of delivery;

4 (3) County of delivery;

5 (4) Mother's name and birthplace;

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

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

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

NOTE: The purpose of this bill is to create "Noah's Law." It requires the creation of a certificate of birth resulting in stillbirth.

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