

1 ENGROSSED HOUSE
2 BILL NO. 1175

By: Perryman of the House

3 and

4 Coleman of the Senate

5
6 An Act relating to public health and safety; amending
7 63 O.S. 2011, Section 1-321, which relates to the
8 amendment of certificate or record; providing for
9 amendment of death certificate; and providing an
10 effective date.

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

12 SECTION 1. AMENDATORY 63 O.S. 2011, Section 1-321, is
13 amended to read as follows:

14 Section 1-321. (a) A certificate or record registered under
15 this article may be amended only in accordance with this article and
16 regulations thereunder adopted by the State Board of Health to
17 protect the integrity and accuracy of vital statistics records.

18 (b) A certificate that is amended under this section shall be
19 marked "amended", except as provided in subsection (d) of this
20 section. The date of amendment and a summary description of the
21 evidence submitted in support of the amendment shall be endorsed on
22 or made a part of the record. The Board shall prescribe by
23 regulation the conditions under which additions or minor corrections
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1 shall be made to birth certificates within one (1) year after the
2 date of birth without the certificate being considered as amended.

3 (c) Upon receipt of a certified copy of a court order, from a
4 court of competent jurisdiction, changing the name of a person born
5 in this state and upon request of such person or his parent,
6 guardian, or legal representative, the State Commissioner of Health
7 shall amend the certificate of birth to reflect the new name.

8 (d) When a child is born out of wedlock, the Commissioner shall
9 amend a certificate of birth to show paternity, if paternity is not
10 currently shown on the birth certificate, in the following
11 situations:

12 (1) Upon request and receipt of a sworn acknowledgment of
13 paternity of a child born out of wedlock signed by both parents; or

14 (2) Upon receipt of a certified copy of a court order
15 establishing paternity.

16 (e) For a child born out of wedlock, the Commissioner shall
17 also change the surname of the child on the certificate:

18 (1) To the specified surname upon receipt of acknowledgment of
19 paternity signed by both parents or upon receipt of a certified copy
20 of a court order directing such name be changed. Such certificate
21 amended pursuant to this subsection shall not be marked "amended";
22 or

23 (2) To the surname of the mother on the birth certificate in
24 the event the acknowledgment of paternity is rescinded.

1 (f) The State Board of Health shall have the power and duty to
2 promulgate rules for situations in which the State Registrar of
3 Vital Statistics receives false information regarding the identity
4 of a parent.

5 (g) If within sixty (60) days of the initial issuance of a
6 certificate of death, a funeral director, or a person acting as
7 such, requests a correction to any portion of the death record
8 except the information relating to the medical certification
9 portion, due to a scrivener's error, misspelling or other correction
10 of information, the Commissioner of Health, through the State
11 Registrar of Vital Statistics, shall amend the record, provided said
12 request is made in writing or through an electronic system and is
13 accompanied by documentation disclosing the correct information or
14 by a sworn statement of the funeral director. The funeral director,
15 or person acting as such, shall be responsible for any and all
16 amendment fees that may be imposed by the Commissioner of Health for
17 said correction. Up to ten certified copies containing the
18 erroneous original information may be exchanged for certified copies
19 containing the corrected information at no additional cost.

20 SECTION 2. This act shall become effective November 1, 2019.
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1 Passed the House of Representatives the 6th day of March, 2019.

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4 Presiding Officer of the House
of Representatives

5 Passed the Senate the ____ day of _____, 2019.

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8 Presiding Officer of the Senate