

HOUSE BILL NO. 1191

Introduced by

Representatives Aarsvold, Hawken, N. Johnson, R. Kelsch, Kerzman

Senator Robinson

1 A BILL for an Act to create and enact a new section to chapter 23-02.1 of the North Dakota
2 Century Code, relating to a certificate of birth resulting in stillbirth.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1.** A new section to chapter 23-02.1 of the North Dakota Century Code is
5 created and enacted as follows:

6 **Certificate of birth resulting in stillbirth.**

- 7 1. For purposes of this section, "stillbirth" has the same meaning as "fetal death"
8 under section 23-02.1-01.
- 9 2. For any birth that occurs in this state which results in a stillbirth for which a fetal
10 death report is required under section 23-02.1-20, the party responsible for filing
11 the fetal death report shall advise the parent of the stillbirth of the following:
- 12 a. That the parent may request the preparation of a certificate of birth resulting in
13 stillbirth;
- 14 b. That preparation of the certificate is optional; and
- 15 c. How to obtain a certified copy of the certificate if one is requested and
16 prepared.
- 17 3. If the parent of the stillbirth requests that a certificate of birth resulting in stillbirth be
18 prepared, the party responsible for filing the fetal death report under section
19 23-02.1-20, within five days after delivery of the stillbirth, shall prepare and file the
20 certificate with the state registrar.
- 21 4. If the parent of the stillbirth does not provide a name for the stillbirth, the individual
22 who prepares the certificate of birth resulting stillbirth shall leave blank any
23 reference to the name of the stillbirth.

- 1 5. Either parent of the stillbirth or, if neither parent is available, another individual with
2 knowledge of the facts of the stillbirth shall attest to the accuracy of the personal
3 data entered on the certificate in time to permit the filing of the certificate within five
4 days after delivery of the stillbirth.
- 5 6. Notwithstanding subsections 2 and 3, if a birth that occurred in this state at any
6 time resulted in a stillbirth for which a fetal death report was required under section
7 23-02.1-20, but a certificate of birth resulting in stillbirth was not prepared, a parent
8 of the stillbirth may submit to the state registrar a written request for preparation of
9 a certificate of birth resulting in stillbirth and evidence of the facts of the stillbirth
10 which is satisfactory to the state registrar. The state registrar shall prepare and
11 file the certificate of birth resulting in stillbirth within thirty days after receiving
12 satisfactory evidence of the facts of the stillbirth.
- 13 7. The state registrar shall prescribe the form and information to be included on a
14 certificate of birth resulting in stillbirth which must be as similar as possible to the
15 form and information included on a certificate of birth under section 23-02.1-13.
16 The state registrar shall issue a certified copy of a certificate of birth resulting in
17 stillbirth to a parent of the stillbirth if:
- 18 a. A certificate of birth resulting in stillbirth has been prepared and filed;
19 b. The parent requesting a certified copy of the certificate submits the request in
20 writing; and
21 c. The request is accompanied by a fee in the amount required for a birth
22 certificate under section 23-02.1-20.