

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1939



ENROLLED

HOUSE BILL No. 141

(By Mr. Lucas)



PASSED March 10 1939

In Effect ninty day from Passage

ENROLLED

House Bill No. 171

(BY MR. LOUCAS)

[Passed March 10, 1939; in effect ninety days from passage.]

AN ACT to amend and reenact section twenty-one, article five, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as last amended, relating to certified copies from birth and death records, and providing fees therefor.

Be it enacted by the Legislature of West Virginia:

That section twenty-one, article five, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as last amended, be amended and reenacted to read as follows:

Article 5. Vital Statistics.

Section 21. *Certified Copies From Birth and Death Records; Fees.* The state registrar shall, upon request, supply to any applicant a certified copy of the record of any birth or death registered under the provisions of this article: *Pro-*

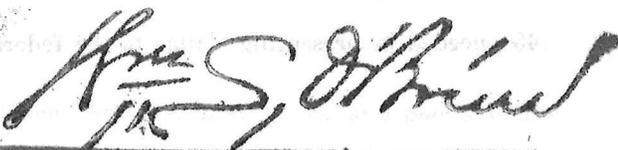
5 *vided, however,* That when a request is made for a birth cer-
6 tificate of any person who has been legally adopted by any
7 other person and there is filed with such request a certified
8 copy of the decree of the court in such adoption proceedings
9 the state registrar shall, upon special request therefor, issue
10 in lieu of a certified copy of the original record a special birth
11 certificate showing only (a) the name of the proposed adopted
12 person as changed by the decree of adoption, if changed;
13 (b) the date and place of birth; (c) the names of the adopt-
14 ing parent or parents; and (d) the permanent file number
15 of the original birth certificate. Such special certificate shall
16 be accepted by all school authorities as evidence of the child's
17 age for all purposes connected with employment or school at-
18 tendance. For the making and certification of each certified
19 copy of the record of any birth, death or of any special birth
20 certificate, the state registrar shall be entitled to a fee of fifty
21 cents to be paid by the applicant. Such copy shall not state
22 that any child was either legitimate or illegitimate. Any such
23 copy of the record of a birth or death, or such special birth
24 certificate, when properly certified by the state registrar,
25 shall be prima facie evidence, in all courts and places, of the

26 facts therein stated. For any search of the files and records
27 when no certified copy is made, the state registrar shall be
28 entitled to a fee of fifty cents for each hour or fractional
29 part of an hour of time of search, said fee to be paid by the
30 applicant. The state registrar shall keep a true and correct
31 account of all fees by him received under the provisions of
32 this article and turn the same over to the state treasurer:
33 *Provided*, That the state registrar shall, upon the request of
34 any parent or guardian, supply without fee a certificate
35 limited to a statement as to the date of birth, of any child
36 when the same shall be necessary for admission to school, or
37 for the purpose of securing employment: *Provided further*,
38 That the United States bureau of census may obtain, with-
39 out expense to the state, transcripts or certified copies of
40 births and deaths without payment of the fees herein pre-
41 scribed: *And provided further*, That the state registrar may
42 furnish certified copies of birth and death records to the state
43 welfare department, to county welfare departments and to
44 organized charities, free of charge, when such certificates are
45 needed in presenting claims to the federal government, or to

46 the West Virginia relief compensation department, and an
47 accurate record shall be made of all such certificates so
48 furnished.

I certify that the foregoing act,
having been presented to the Governor for
his approval, and not having been returned
by him to the House of the Legislature in
which it originated within the time pre-
scribed by the constitution of the state, has
become a law without his approval.

This the 17th day of March
1939



SECRETARY OF STATE

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

E. D. Wiseman

Chairman Senate Committee

Wesley W. Walker

Chairman House Committee

Originated in the *House of Delegates*

Takes effect *ninety days from* passage.

John S. Hall

Clerk of the Senate

John S. Hall

Clerk of the House of Delegates

Wm. M. ...

President of the Senate

James Lay Thomas

Speaker House of Delegates

The within this the

day of, 1939.



.....
Governor.