WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1939

ENROLLED

HOUSE BILL No. 171

(By Mr. Lucas)

PASSED March 15, 1939

In Effect thirty days 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:


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-
vided, however, That when a request is made for a birth certificate of any person who has been legally adopted by any other person and there is filed with such request a certified copy of the decree of the court in such adoption proceedings the state registrar shall, upon special request therefor, issue in lieu of a certified copy of the original record a special birth certificate showing only (a) the name of the proposed adopted person as changed by the decree of adoption, if changed; (b) the date and place of birth; (c) the names of the adopting parent or parents; and (d) the permanent file number of the original birth certificate. Such special certificate shall be accepted by all school authorities as evidence of the child's age for all purposes connected with employment or school attendance. For the making and certification of each certified copy of the record of any birth, death or of any special birth certificate, the state registrar shall be entitled to a fee of fifty cents to be paid by the applicant. Such copy shall not state that any child was either legitimate or illegitimate. Any such copy of the record of a birth or death, or such special birth certificate, when properly certified by the state registrar, shall be prima facie evidence, in all courts and places, of the
facts therein stated. For any search of the files and records when no certified copy is made, the state registrar shall be entitled to a fee of fifty cents for each hour or fractional part of an hour of time of search, said fee to be paid by the applicant. The state registrar shall keep a true and correct account of all fees by him received under the provisions of this article and turn the same over to the state treasurer: Provided, That the state registrar shall, upon the request of any parent or guardian, supply without fee a certificate limited to a statement as to the date of birth, of any child when the same shall be necessary for admission to school, or for the purpose of securing employment: Provided further, That the United States bureau of census may obtain, without expense to the state, transcripts or certified copies of births and deaths without payment of the fees herein prescribed: And provided further, That the state registrar may furnish certified copies of birth and death records to the state welfare department, to county welfare departments and to organized charities; free of charge, when such certificates are needed in presenting claims to the federal government, or to
the West Virginia relief compensation department, and an
accurate record shall be made of all such certificates so
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 prescribed by the constitution of the state, has
become a law without his approval.

This the............. day of............. 1939.

[Signature]

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

E. O. Wiedeman
Chairman Senate Committee

DeWitt Walker
Chairman House Committee

Originated in the House of Delegates

Takes effect ninety days from passage.

F. L. Wallace
Clerk of the Senate

Clerk of the House of Delegates

Frank M. McConnaughey
President of the Senate

James C. House
Speaker House of Delegates

The within this the...

day of , 1939.

Governor.