

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1959

ENROLLED

SENATE BILL NO. 315

(By Mr. Moats.....)

PASSED March 11..... 1959

In Effect 90 days from..... Passage



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of West Virginia MAR 20 1959
JOE F. BURDETT
SECRETARY OF STATE

ENROLLED

Senate Bill No. 315

(By MR. MOATS)

[Passed March 11, 1959; in effect ninety days from passage.]

AN ACT to amend and reenact section nineteen, article five, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to certain duties of the state registrar of vital statistics and county registers of births and deaths.

Be it enacted by the Legislature of West Virginia:

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

- Section 19. *State Registrar; Duties; State and County*
- 2 *Registers of Births and Deaths; Classification of Diseases;*
 - 3 *Private Records Filed with State Registrar; Transcripts.—*

4 The state registrar shall prepare, print and supply to all
5 registrars all blanks and forms necessary for registering,
6 recording and preserving the state records, and shall pre-
7 pare and issue such detailed instructions as may be re-
8 quired to procure the uniform observance of its provi-
9 sions and the maintenance of a perfect system of regis-
10 tration; and no other blanks shall be used than those sup-
11 plied by the state registrar. He shall carefully examine
12 the certificates received monthly from the local registrars,
13 and if any such are incomplete or unsatisfactory, he shall
14 require such further information to be supplied as may
15 be necessary to make the record complete and satisfac-
16 tory. All physicians, midwives, informants, or under-
17 takers, and other persons having knowledge of the facts,
18 are hereby required to supply, upon a form provided by
19 the state registrar or upon the original certificate, such
20 information as they may possess regarding any birth or
21 death, upon demand of the state registrar, in person, by
22 mail, or through the local registrar: *Provided*, That no
23 certificate of birth or death, after its acceptance for regis-
24 tration by the local registrar, and no other record made

25 in pursuance of this article, shall be altered or changed
26 in any respect otherwise than by amendments properly
27 dated, signed and witnessed. The state registrar shall fur-
28 ther arrange, bind and permanently preserve the certifi-
29 cates in a systematic manner, and shall compile there-
30 from a record of such births and deaths and shall enter
31 the same in a systematic and orderly way in a well-bound
32 register of births and a well-bound register of deaths,
33 respectively, for the state, and shall prepare and maintain
34 a comprehensive and continuous index of all births and
35 deaths registered. The index shall be arranged alphabeti-
36 cally, in the case of deaths, by the names of decedents,
37 and in the case of births, by the names of the children,
38 where stated, as well as of the fathers and mothers, sub-
39 ject, however, to the provisions of sections seven and four-
40 teen of this article. He shall inform all registrars what
41 diseases are to be considered infectious or communicable
42 and dangerous to the public health, as decided by the state
43 public health council, in order that when deaths occur
44 from such diseases proper precautions may be taken to
45 prevent their spread.

46 In order that each county may have a complete record
47 of the births and deaths occurring in said county, the state
48 registrar shall transmit each month, to the several county
49 clerks, the copies of the certificates of all births and deaths
50 occurring in their respective counties furnished by the lo-
51 cal registrars, and if any person shall die in a county other
52 than that county within the state in which such person
53 last resided prior to death, then the state registrar shall,
54 if possible, also furnish a copy of such death certificate to
55 the clerk of the county court of the county wherein such
56 person last resided, from which copies the clerk shall com-
57 pile a record of such births and deaths and shall enter the
58 same in a systematic and orderly way in a well-bound
59 register of births and a well-bound register of deaths,
60 respectively, for that county, which said registers shall
61 be public records: *Provided*, That such copies and regis-
62 ters shall not state that any child was either legitimate
63 or illegitimate. The form of said registers of births and
64 deaths shall be prescribed by the state registrar of vital
65 statistics.

66 If any cemetery company or association, or any church

67 or historical society or association, or any other company,
68 society, or association, or any individual, is in possession
69 of any record of births or deaths which may be of value
70 in establishing the genealogy of any resident of this state,
71 such company, society, association or individual may file
72 such record, or a duly authenticated transcript thereof,
73 with the state registrar, and it shall be the duty of the
74 state registrar to preserve such record or transcript and
75 to make a record and index thereof in such form as to fa-
76 cilitate the finding of any information contained therein.
77 Such record and index shall be open to inspection by the
78 public, subject to such reasonable conditions as the state
79 registrar may prescribe. If any person desires a transcript
80 of any such record, the state registrar shall furnish the
81 same upon application, together with a certificate that it
82 is a true copy of such record, as filed in his office, and for
83 his services in so furnishing such transcript and certifi-
84 cate he shall be entitled to a fee of fifty cents per hour or
85 fraction of an hour necessarily consumed in making such
86 transcript, and to a fee of twenty-five cents for the certifi-
87 cate, which fees shall be paid by the applicant.

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

W. M. Jasper
Chairman Senate Committee

Eudora Andrews
Chairman House Committee

Originated in the Senate.

Takes effect *90 days from* passage.

Howard Thayer
Clerk of the Senate

O. A. Blankenship
Clerk of the House of Delegates

Ralph Bean
President of the Senate

F. R. Pauley
Speaker House of Delegates

The within *approved* this the *20th* day of *March*, 1959.

W. H. Underwood
Governor

