

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1961

55
ENROLLED

SENATE BILL NO. 55

(By Mr. Hylie)

PASSED March 11th 1961

In Effect twenty days from Passage

Filed in Office of the Secretary of State
of West Virginia MAR 17 1961

JOE F. BURDETT
SECRETARY OF STATE

ENROLLED
Senate Bill No. 55

(By MR. WYLIE)

[Passed March 11, 1961; in effect ninety days from passage.]

AN ACT to amend and reenact sections eighteen and twenty-one, article five, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the compensation of local registrars and fees to be paid state registrar for certified copy of a birth or death record.

Be it enacted by the Legislature of West Virginia:

That sections eighteen and twenty-one, 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 18. *Compensation of Local Registrars.*—Each
2 local registrar shall be paid the sum of one dollar for each

3 birth certificate and each death certificate properly and
4 completely made out and registered with him, and cor-
5 rectly recorded and promptly returned by him to the state
6 registrar, as required by this article. And in case no births
7 nor deaths were registered during any month, the local
8 registrar shall be entitled to be paid the sum of one dollar
9 for each report to that effect, but only if such reports be
10 made promptly as required by this article. The state regis-
11 trar shall annually certify to the county courts of the sev-
12 eral counties the number of births and deaths properly
13 registered, with the names of the local registrars and the
14 amounts due each at the rates fixed herein. All amounts
15 payable to a local registrar under the provisions of this
16 section shall be paid by the treasurer of the county in
17 which the registration district is located, upon the order
18 of the county court of such county issued upon such certi-
19 fication by the state registrar.

Sec. 21. Certified Copies from Birth and Death Records;

2 *Fees.*—The state registrar shall, upon request, supply to
3 any applicant a certified copy of the record of any birth or
4 death registered under the provisions of this article:

5 *Provided, however,* That when a request is made for a
6 birth certificate of any person who has been legally
7 adopted, the state registrar shall, upon special request
8 therefor, issue in lieu of a certified copy of the original
9 record a special birth certificate showing only (a) the
10 name of the proposed adopted person as changed by the
11 decree of adoption, if changed, without any indication that
12 the child was other than natural born to the adopting
13 parent or parents; (b) the date and place of birth, if
14 known; and (c) the names of the adopting parent or
15 parents. Such special certificate shall be accepted by
16 all school authorities as evidence of the child's age
17 for all purposes connected with employment of school
18 attendance. For the making and certification of each cer-
19 tified copy of the record of any birth, death or of any
20 special birth certificate, the state registrar shall be entitled
21 to a fee of one dollar to be paid by the applicant. Such
22 copy shall not state that any child was either legitimate
23 or illegitimate. Any such copy of the record of a birth or
24 death, or such special birth certificate, when properly cer-
25 tified by the state registrar, shall be prima facie evidence,

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

47 ernment, or to the West Virginia relief compensation de-
48 partment, and an accurate record shall be made of all such
49 certificates so furnished.

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

Thomas Davis, Sr.
Chairman Senate Committee

Mrs. H. H. Withrow
Chairman House Committee

Originated in the Senate.

Takes effect ninety days from passage.

Howard Meyer
Clerk of the Senate

C. A. Blackinslip
Clerk of the House of Delegates

Howard W. Carson
President of the Senate

Julius W. Singleton Jr.
Speaker House of Delegates

The within approved this the 17th
day of March, 1961.

Wm. Baum
Governor



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JOE F. BURDETT
SECRETARY OF STATE