

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1967



ENROLLED

*Committee Substitute for*  
HOUSE BILL No. 542

(By Mr. *Speaker, Mr. White*.....)



PASSED March 11, 1967

In Effect Ninety Days from Passage



FILED IN THE OFFICE  
ROBERT D. BAILEY  
SECRETARY OF STATE  
THIS DATE 3-21-67

# 5-42

**ENROLLED**

**Com. Sub. for House Bill No. 542**

(By MR. SPEAKER, MR. WHITE)

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[Passed March 11, 1967; in effect ninety days from passage.]

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AN ACT to amend article five, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated twenty-two-a, relating to registration of divorces and annulments in West Virginia.

*Be it enacted by the Legislature of West Virginia:*

That article five, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated twenty-two-a, to read as follows:

**ARTICLE 5. VITAL STATISTICS.**

**§16-5-22a. Registration of divorce and annulment; reports by clerk of courts of record; verified copy of records; failure of clerk to comply not to affect validity of final judgment.**

1 To the end that there shall be an efficient and uniform  
2 system of the registration of divorce and annulment of  
3 marriage in this state, each divorce and annulment of  
4 marriage which shall occur in this state shall be regis-  
5 tered with the state division of vital statistics in accord-  
6 ance with the following procedures:

7 (a) The state board of health shall have the authority  
8 and duty to:

9 (1) Install a centralized system of registering, index-  
10 ing and preserving records of divorce and annulment  
11 of marriage; (2) promulgate such rules and regulations,  
12 in accordance with chapter twenty-nine-a of this code  
13 as are necessary to implement the provisions of this sec-  
14 tion, and prescribe and furnish forms for collecting, trans-  
15 cribing, compiling and preserving records and statistics  
16 of divorce and annulment of marriage as required in  
17 subdivision (b) below; (3) make and publish a statisti-

18 cal report of divorce and annulment of marriage; and

19 (4) enforce the regulations made pursuant thereto.

20 (b) The clerk of every court of record having juris-

21 diction of divorce or annulment of marriage shall monthly

22 make and deliver to the state registrar of vital statistics

23 a report on a form prescribed by the state registrar of

24 vital statistics, listing all of the divorces or annulments

25 of marriages granted by such court during the preceding

26 calendar month, showing insofar as such information ap-

27 pears in the complaint or final decree: (1) The names

28 and ages of the parties to the action, (2) the date and

29 place of the marriage thereby terminated, (3) the names

30 of said parties' children under the age of eighteen years,

31 (4) the date of the final decree: *Provided*, That in coun-

32 ties where the court is not in continuous session these

33 reports shall be forwarded within ten days following

34 the close of the term of the court.

35 (c) The state registrar shall search his files of reports

36 of divorce and annulment of marriage upon receipt of

37 written request and a fee of one dollar. If the record is

38 found, he shall verify the facts of the divorce or annul-

39 ment of marriage in writing to the applicant and shall  
40 notify the applicant of the place where the original  
41 record is found.

42 (d) Failure of the clerk of the court to comply with  
43 the provisions of subdivision (b) hereof shall in no way  
44 affect the validity of any final judgment order of divorce  
45 or annulment of marriage.

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

William Tompkins  
Chairman Senate Committee

Clayton C. Davidson  
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

Howard Thayer  
Clerk of the Senate

C. B. Blankenship  
Clerk of the House of Delegates

Howard E. Carlson  
President of the Senate

H. Lehn White  
Speaker House of Delegates

The within approved this the 17  
day of March, 1967.

Hubert C. Smith  
Governor



PRESENTED TO THE  
GOVERNOR

Date 3-17-67

Time 3:07 PM