

SB 277

FILED

2015 MAR 27 A 11: 15

WEST VIRGINIA LEGISLATURE
EIGHTY-SECOND LEGISLATURE

OFFICE WEST VIRGINIA
SECRETARY OF STATE

REGULAR SESSION, 2015



ENROLLED

COMMITTEE SUBSTITUTE

FOR

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FOR

Senate Bill No. 277

(SENATORS MILLER, D. HALL, LAIRD, WILLIAMS
AND KIRKENDOLL, *ORIGINAL SPONSORS*)

[PASSED MARCH 9, 2015; IN EFFECT NINETY DAYS FROM PASSAGE.]

FILED

2015 MAR 27 A 11:16

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Senate Bill No. 277

(Senators Miller, D. Hall, Laird, Williams and Kirkendoll,
original sponsors)

[Passed March 9, 2015; in effect ninety days from passage.]

AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §16-5-21a, relating to creating "Noah's Law"; defining terms; providing for a certificate of birth for a stillborn child; allowing only the mother to request a certificate in certain circumstances; allowing State Registrar to charge a fee for a certificate; specifying the contents of a certificate; and effect of the certificate.

Be it enacted by the Legislature of West Virginia:

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §16-5-21a, to read as follows:

ARTICLE 5. VITAL STATISTICS.

§16-5-21a. Noah's Law; certificate of birth for a stillbirth; and contents of certificate.

1 **(a) This section of the code shall be known as "Noah's**
2 **Law".**

3 **(b) For the purposes of this section, the term "stillbirth"**
4 **or "stillborn" means an unintended intrauterine fetal death**
5 **occurring in this state.**

6 **(c) Following a report of fetal death as required by**
7 **section twenty-one of this article, either the mother or father**
8 **of a stillborn child may request that a certificate of birth**
9 **resulting in stillbirth be issued by the State Registrar. Only**
10 **the mother of the child may request a certificate if:**

11 **(1) The child has not been legitimized;**

12 **(2) A court has not determined the paternity of the child;**

13 **(3) If no father has been identified; or**

14 **(4) If the child was conceived as a result of a sexual**
15 **assault as defined in article eight-b, chapter sixty-one of this**
16 **code.**

17 **(d) The State Registrar may charge a fee for the issuance**
18 **of the certificate. The fee shall be the same as the fee for a**
19 **death certificate issued by the State Registrar.**

20 **(e) The certificate shall include, but is not limited to:**

21 **(1) The name of the stillborn child;**

22 **(2) The date of delivery;**

3 [Enr. Com. Sub. for Com. Sub for S. B. No. 277

23 (3) The county of delivery;

24 (4) The mother's name and birthplace;

25 (5) The father's name and birthplace; and

26 (6) The statement: "This certificate is not proof of live
27 birth."

28 (f) The certificate does not affect the registration, filing
29 or record requirements of this article, nor does the issuance
30 of the certificate impose upon a coroner or medical examiner
31 any additional duties to conduct an investigation.

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

Mark R. Hayward
.....
Chairman Senate Committee

John B. Mc...
.....
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Clark S. Burns
.....
Clerk of the Senate

Stephen D. Harrison
.....
Clerk of the House of Delegates

William D. ...
.....
President of the Senate

John ...
.....
Speaker of the House of Delegates

The within *is approved*..... this the *27th*
Day of *March*....., 2015.

Carl Roy Tomblin
.....
Governor

PRESENTED TO THE GOVERNOR

MAR 1 6 2015

Time 10:46 AM