

Senate File 2004 - Introduced

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BY McCOY

A BILL FOR

1 An Act relating to parentage information included on a birth
2 certificate.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 144.13, Code 2011, is amended to read as
2 follows:

3 **144.13 Birth certificates.**

4 1. Certificates of births shall be filed as follows:

5 a. A certificate of birth for each live birth which occurs
6 in this state shall be filed as directed by the state registrar
7 within seven days after the birth and shall be registered by
8 the county registrar if it has been completed and filed in
9 accordance with this chapter.

10 b. When a birth occurs in an institution or en route to an
11 institution, the person in charge of the institution or the
12 person's designated representative, shall obtain the personal
13 data, prepare the certificate, and file the certificate as
14 directed by the state registrar. The physician in attendance
15 or the person in charge of the institution or the person's
16 designee shall certify to the facts of birth either by
17 signature or as otherwise authorized by rule and provide the
18 medical information required by the certificate within seven
19 days after the birth.

20 c. When a birth occurs outside an institution and not en
21 route to an institution, the certificate shall be prepared
22 and filed by one of the following in the indicated order of
23 priority:

24 (1) The physician in attendance at or immediately after the
25 birth.

26 (2) Any other person in attendance at or immediately after
27 the birth.

28 (3) ~~The father or the mother~~ A parent.

29 (4) The person in charge of the premises where the birth
30 occurred. The state registrar shall establish by rule the
31 evidence required to establish the facts of birth.

32 d. The state registrar may share information from birth
33 certificates for the sole purpose of identifying those children
34 in need of immunizations.

35 e. If an affidavit of paternity is obtained directly from

1 the county registrar and is filed pursuant to section 252A.3A
2 the county registrar shall forward the original affidavit to
3 the state registrar.

4 2. If the birth mother was married at the time of
5 conception, birth, or at any time during the period between
6 conception and birth, the name of the ~~husband~~ birth mother's
7 spouse shall be entered on the certificate as the ~~father~~ other
8 parent of the child ~~unless~~. However, if paternity has been
9 determined otherwise by a court of competent jurisdiction, ~~in~~
10 ~~which case~~ the name of the father as determined by the court
11 shall be entered by the department as the other parent.

12 3. If the birth mother was not married at the time of
13 conception, birth, and at any time during the period between
14 conception and birth, the name of the ~~father~~ other parent
15 shall not be entered on the certificate of birth, ~~unless~~.
16 However, if a determination of paternity has been made pursuant
17 to section 252A.3, ~~in which case~~ the name of the father as
18 established shall be entered by the department as the other
19 parent. If the ~~father~~ other parent is not named on the
20 certificate of birth, no other information about the ~~father~~
21 other parent shall be entered on the certificate.

22 3A. The division shall provide birth certificate
23 application forms that include a designation for each parent
24 as mother, father, or parent.

25 4. The division shall make all of the following available to
26 the child support recovery unit, upon request:

27 a. A copy of a child's birth certificate.

28 b. The social security ~~numbers~~ number of ~~the mother and the~~
29 ~~father~~ each parent.

30 c. A copy of the affidavit of paternity if filed pursuant to
31 section 252A.3A and any subsequent rescision form which rescinds
32 the affidavit.

33 d. Information, other than information for medical and
34 health use only, identified on a child's birth certificate or
35 on an affidavit of paternity filed pursuant to section 252A.3A.

1 department as the other parent. If the other parent is not
2 named on the certificate of birth, no other information about
3 the other parent is to be entered on the certificate.

4 The bill also directs the division for records and
5 statistics within the department of public health to provide
6 birth certificate application forms that include a designation
7 for each parent as mother, father, or parent.

8 The bill also requests the legislative council to
9 establish an interim task force to review the legal rights
10 and responsibilities of spouses and parents to determine any
11 necessary changes in law, rule, or practice necessitated by
12 recognition of changing familial patterns and advances in
13 reproductive technology. The bill specifies the minimum
14 representation for the task force and directs the task force to
15 submit a report of recommendations concerning these issues and
16 recommendations for any necessary legislation to the general
17 assembly by December 31, 2012.