

57 able under chapter one hundred thirty-five D (135D) of the Code for
58 such mobile home. The sticker shall also state the number of square
59 feet of floor space in the mobile home.”

1 SEC. 4. Every mobile home manufacturer shall, not later than Sep-
2 tember 1, 1970, file a sworn statement with the department of public
3 safety stating the various models manufactured by him after January
4 1, 1955 and the retail list price for and number of square feet of floor
5 space in each mobile home at the time such mobile home was offered
6 for sale.

Approved April 10, 1970.

CHAPTER 1081

VITAL STATISTICS

H. F. 199

AN ACT relating to vital statistics.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Chapter one hundred forty-one (141), and chapter
2 one hundred forty-four (144), Code 1966, are hereby repealed and
3 sections two (2) through fifty-six (56) of this Act enacted in lieu
4 thereof.

1 SEC. 2. As used in this Act, unless the context otherwise requires:

2 1. “Board” means the state board of health.

3 2. “Department” means the state department of health.

4 3. “Division” means a division, within the department, for records
5 and statistics.

6 4. “State registrar” means the state registrar of vital statistics.

7 5. “Institution” means any establishment, public or private, which
8 provides inpatient medical, surgical, or diagnostic care or treatment,
9 or nursing, custodial, or domiciliary care to two or more unrelated
10 individuals, or to which persons are committed by law.

11 6. “Vital statistics” means records of births, deaths, fetal deaths,
12 adoptions, marriages, divorces, annulments, and data related thereto.

13 7. “System of vital statistics” includes the registration, collection,
14 preservation, amendment, and certification of vital statistics records,
15 and activities and records related thereto including the data proc-
16 essing, analysis, and publication of statistical data derived from such
17 records.

18 8. “Filing” means the presentation of a certificate, report, or other
19 record, provided for in this Act, of a birth, death, fetal death, adop-
20 tion, marriage, divorce, or annulment for registration by the division.

21 9. “Registration” means the acceptance by the division and the
22 incorporation in its official records of certificates, reports, or other
23 records, provided for in this Act, of births, deaths, fetal deaths, adop-
24 tions, marriages, divorces, or annulments.

25 10. “Live birth” means the complete expulsion or extraction from
26 its mother of a product of human conception, irrespective of the

27 duration of pregnancy, which, after such expulsion or extraction,
 28 breathes or shows any other evidence of life such as beating of the
 29 heart, pulsation of the umbilical cord, or definite movement of vol-
 30 untary muscles, whether or not the umbilical cord has been cut or
 31 the placenta is attached.

32 11. "Fetal death" means death prior to the complete expulsion or
 33 extraction from its mother of a product of human conception, irre-
 34 spective of the duration of pregnancy. Death is indicated by the fact
 35 that after expulsion or extraction the fetus does not breathe or
 36 show any other evidence of life such as beating of the heart, pulsa-
 37 tion of the umbilical cord, or definite movement of voluntary muscles.

38 12. "Dead body" means a lifeless human body or parts or bones
 39 of a body, if, from the state of the body, parts, or bones, it may reason-
 40 ably be concluded that death recently occurred.

41 13. "Final disposition" means the burial, interment, cremation,
 42 removal from the state, or other disposition of a dead body or fetus.

1 SEC. 3. There is hereby established in the department a division
 2 for records and statistics which shall install, maintain, and operate
 3 the system of vital statistics throughout the state. No system for
 4 the registration of births, deaths, fetal deaths, adoptions, marriages,
 5 divorces, and annulments, shall be maintained in the state or any of
 6 its political subdivisions other than the one provided for in this Act.
 7 Suitable quarters shall be provided for the division by the executive
 8 council at the seat of government. The quarters shall be properly
 9 equipped for the permanent and safe preservation of all official rec-
 10 ords made and returned under this Act.

1 SEC. 4. The department may adopt, amend, and repeal rules and
 2 regulations for the purpose of carrying out the provisions of this
 3 Act, in accordance with chapter seventeen A (17A) of the Code.

1 SEC. 5. The commissioner of public health shall be the state reg-
 2 istrar of vital statistics and shall carry out the provisions of this Act.

1 SEC. 6. The state registrar shall:

2 1. Administer and enforce this Act and the rules and regulations
 3 issued hereunder, and issue instructions for the efficient administra-
 4 tion of the statewide system of vital statistics and the division for
 5 records and statistics.

6 2. Direct and supervise the statewide system of vital statistics and
 7 the division for records and statistics and be custodian of its records.

8 3. Direct, supervise, and control the activities of local registrars
 9 and deputy local registrars, and the activities of clerks of the district
 10 court related to the operation of the vital statistics system and pro-
 11 vide registrars with necessary postage.

12 4. Prescribe, print, and distribute the forms required by this Act.

13 5. Prepare and publish annual reports of vital statistics of this
 14 state and other reports as may be required.

15 6. Delegate functions and duties vested in him to officers, employ-
 16 ees of the department, and to the local registrars as he deems neces-
 17 sary or expedient.

18 7. Provide, by regulations, for appropriate morbidity reporting.

1 SEC. 7. The state registrar shall from time to time establish reg-
2 istration districts throughout the state and may consolidate or sub-
3 divide districts to facilitate registration, provided that no district
4 shall contain less than one county.

1 SEC. 8. The county registrar, with the approval of the state reg-
2 istrar, shall appoint a local registrar and one or more deputy local
3 registrars of vital statistics for each registration district. Any local
4 and deputy local registrar appointed may be removed by the state
5 registrar for reasonable cause.

1 SEC. 9. The local registrar, with respect to his registration dis-
2 trict shall:

3 1. Administer and enforce the provisions of this Act and instruc-
4 tions, rules, and regulations issued by the department.

5 2. Require that certificates be completed and filed with the county
6 registrar.

7 3. Transmit the certificates, reports, or other returns filed with
8 him to the county registrar at least weekly, or more frequently when
9 directed by the county registrar.

10 4. Maintain records, make reports, and perform other duties re-
11 quired by the state registrar.

12 The deputy local registrar shall perform the duties of the local
13 registrar in the absence or incapacity of the local registrar and such
14 other duties as may be prescribed.

1 SEC. 10. The clerk of the district court shall be the county regis-
2 trar and with respect to his registration district shall:

3 1. Administer and enforce the provisions of this Act and the
4 rules, and regulations issued by the department, and exercise general
5 supervision over the local and deputy local registrars in his district.

6 2. Record and transmit the certificates, reports, or other returns
7 filed with him to the state registrar at least semimonthly, or more
8 frequently when directed by the state registrar.

1 SEC. 11. Each local registrar shall be paid fifty cents for each
2 certificate of birth, death, or fetal death registered by him and trans-
3 mitted to the county or state registrar. If no birth, death, or fetal
4 death is registered by him during any calendar month, the local reg-
5 istrar shall report such fact to the county registrar. No compensa-
6 tion shall be paid under this section to any full-time employee of a
7 state or local unit of government.

1 SEC. 12. The state registrar shall certify to the auditor of the
2 county, monthly, quarterly, semiannually or annually the number of
3 birth, death, and fetal death certificates registered by each local
4 registrar with the names of the local registrars and the amount due.
5 Upon such certification the fees due the local registrars shall be paid
6 by the auditor of the county out of the general fund of the county.

1 SEC. 13. In order to promote and maintain uniformity in the
2 system of vital statistics, the forms of certificates, reports, and other
3 returns, shall include as a minimum the items recommended by the
4 federal agency responsible for national vital statistics subject to
5 approval and modification by the department. Forms shall be fur-
6 nished by the department. The forms or other recording methods

7 used by county and local registrars to record copies of records made
8 under this Act shall be prescribed by the department.

1 SEC. 14. Certificates of births shall be filed as follows:

2 1. A certificate of birth for each live birth which occurs in this
3 state shall be filed with the local registrar of the district in which
4 the birth occurs within five days after the birth and shall be regis-
5 tered by the registrar if it has been completed and filed in accord-
6 ance with this Act; provided that when a birth occurs in a moving
7 conveyance, a birth certificate shall be filed in the district in which
8 the child was first removed from the conveyance.

9 2. When a birth occurs in an institution, the person in charge of
10 the institution or his designated representative shall obtain the per-
11 sonal data, prepare the certificate, secure the signatures required by
12 the certificate and file the certificate with the local registrar. The
13 physician in attendance shall certify to the facts of birth and provide
14 the medical information required by the certificate within three days
15 after the birth.

16 3. When a birth occurs outside an institution, the certificate shall
17 be prepared and filed by one of the following in the indicated order
18 of priority:

19 a. The physician in attendance at or immediately after the birth.

20 b. Any other person in attendance at or immediately after the
21 birth.

22 c. The father or the mother.

23 d. The person in charge of the premises where the birth occurred.

24 4. In the case of a child born out of wedlock, the certificate shall
25 be filed directly with the state registrar.

26 If the mother was married either at the time of conception or birth,
27 the name of the husband shall be entered on the certificate as the
28 father of the child unless paternity has been determined otherwise
29 by a court of competent jurisdiction, in which case the name of the
30 father as determined by the court shall be entered.

31 If the mother was not married either at the time of conception or
32 birth, the name of the father shall not be entered on the certificate
33 of birth without the written consent of the mother and the person
34 to be named as the father, unless a determination of paternity has
35 been made by a court of competent jurisdiction, in which case the
36 name of the father as determined by the court shall be entered.

1 SEC. 15. Whoever assumes the custody of a living infant of un-
2 known parentage shall report on a form and in the manner prescribed
3 by the state registrar within five days to the local registrar of the
4 district in which the child was found, the following information:

5 1. The date and place of finding.

6 2. The sex, color or race, and approximate age of child.

7 3. The name and address of the person or institution which has
8 assumed custody of the child.

9 4. The name given to the child by the custodian.

10 5. Other data required by the state registrar.

11 The place where the child was found shall be entered as the place
12 of birth and the date of birth shall be determined by approximation.
13 A report registered under this section shall constitute the certificate
14 of birth for the infant.

15 If the child is identified and a certificate of birth is found or ob-
16 tained, any report registered under this section shall be sealed and
17 filed and may be opened only by order of a court of competent juris-
18 diction or as provided by regulation.

1 SEC. 16. When the birth of a person born in this state has not
2 been registered, a certificate may be filed in accordance with regula-
3 tions. The certificate shall be registered subject to evidentiary require-
4 ments prescribed to substantiate the alleged facts of birth. Certifi-
5 cates of birth registered one year or more after the date of occurrence
6 shall be marked "delayed" and shall show on their face the date of
7 the delayed registration. A summary statement of the evidence sub-
8 mitted in support of the delayed registration shall be endorsed on
9 the certificate.

10 When an applicant does not submit the substantiating evidence
11 required for delayed registration or when the state registrar finds
12 reason to question the validity or adequacy of the evidence, the state
13 registrar shall not register the delayed certificate and shall advise
14 the applicant of the reasons for this action. The registration official
15 shall advise the applicant of his right of appeal to the district court.

16 The department may by regulation provide for the dismissal of
17 an application which is not actively prosecuted.

1 SEC. 17. When a death or marriage occurring in this state has
2 not been registered, a certificate may be filed in accordance with
3 regulations. Such certificate shall be registered subject to evidentiary
4 requirements prescribed to substantiate the alleged facts of death
5 or marriage. Certificates of death and marriage registered one year
6 or more after the date of occurrence shall be marked "delayed" and
7 shall show on their face the date of the delayed registration.

1 SEC. 18. If a delayed certificate of birth is rejected under the
2 provisions of section sixteen (16) of this Act, a petition may be filed
3 with the district court for an order establishing a record of the date
4 and place of the birth and the parentage of the person whose birth is
5 to be registered. The petition shall be made on a form prescribed and
6 furnished by the state registrar and shall allege:

7 1. That the person for whom a delayed certificate of birth is sought
8 was born in this state.

9 2. That no record of birth of such person can be found in the
10 office of the state or local custodian of birth records.

11 3. That diligent efforts by the petitioner have failed to obtain the
12 evidence required in accordance with section sixteen (16) of this Act.

13 4. That the state registrar has refused to register a delayed cer-
14 tificate of birth.

15 5. Such other allegations as may be required.

16 The petition shall be accompanied by a statement of the registra-
17 tion official made in accordance with section sixteen (16) of this Act
18 and all documentary evidence which was submitted to the registra-
19 tion official in support of such registration. The petition shall be
20 verified by the petitioner.

1 SEC. 19. The court shall fix a time and place for hearing the
2 petition and shall give the registration official who refused to register

3 the petitioner's delayed certificate of birth at least ten days' notice
4 of such hearing. If both persons to be named as parents are not a
5 party to the petition, such person or persons, if living, shall also be
6 given at least ten days' notice of the hearing. The court shall prescribe
7 the manner of such notice. Such official, or his authorized representa-
8 tive, may appear and testify in the proceeding.

9 If the court from the evidence presented finds that the person for
10 whom a delayed certificate of birth is sought was born in this state,
11 it shall make findings as the case may require and shall issue an
12 order on a form prescribed and furnished by the state registrar to
13 establish a record of birth. The order shall include the birth data to
14 be registered, a description of the evidence presented, and the date
15 of the court's action.

16 The clerks of the district court shall forward each order to the
17 state registrar not later than the tenth day of the calendar month
18 following the month in which it was entered. The order shall be
19 registered by the state registrar and shall constitute the record of
20 birth, from which copies may be issued in accordance with sections
21 forty-three (43) through forty-seven (47), inclusive, of this Act.

1 SEC. 20. For each adoption decreed by any court in this state,
2 the court shall require the preparation of a certificate of adoption on
3 a form prescribed and furnished by the state registrar. The certifi-
4 cate shall include a report of such facts as are necessary to locate
5 and identify the certificate of birth of the person adopted, provide
6 information necessary to establish a new certificate of birth of the
7 person adopted, and shall identify the order of adoption and be cer-
8 tified by the clerk of the court.

1 SEC. 21. Information in the possession of the petitioner necessary
2 to prepare the adoption report shall be furnished with the petition
3 for adoption by each petitioner for adoption or his attorney. The
4 social agency, welfare agency, or other person concerned shall supply
5 the court with such additional information in their possession as
6 necessary to complete the certificate. The provision of such informa-
7 tion shall be submitted to the court prior to the issuance of a final
8 decree in the matter by the court, unless found by the court to be
9 unavailable after diligent inquiry.

1 SEC. 22. Whenever an adoption decree is amended or annulled,
2 the clerk of the court shall prepare a certificate, which shall include
3 facts necessary to identify the original adoption report, and facts in
4 the adoption decree necessary to properly amend the birth record.

1 SEC. 23. Not later than the tenth day of each calendar month,
2 the clerk of the court shall forward to the state registrar certificates
3 of adoption, or amendment or annulment of adoption, entered in the
4 preceding month, together with such related reports as the state
5 registrar requires. The state registrar, upon receipt from a court
6 of a certificate of adoption, or amendment or annulment of adoption,
7 for a person born outside this state shall forward the certificate to
8 the appropriate registration authority in the state of birth.

1 SEC. 24. The state registrar shall establish a new certificate of
2 birth for a person born in this state, when he receives the following:

3 1. An adoption certificate as provided in section twenty (20) of
4 this Act, or a certified copy of the decree of adoption together with
5 the information necessary to identify the original certificate of birth
6 and to establish a new certificate of birth; except that a new cer-
7 tificate of birth shall not be established if so requested by the court
8 decreeing the adoption, the adoptive parents, or the adopted person.

9 2. A request that a new certificate be established and evidence
10 proving that the person for whom the new certificate is requested
11 has been legitimated, or that a court of competent jurisdiction has
12 determined the paternity of the person.

1 SEC. 25. When a new certificate of birth is established, the actual
2 place and date of birth shall be shown. The certificate shall be sub-
3 stituted for the original certificate of birth. Thereafter, the original
4 certificate and the evidence of adoption, paternity, or legitimation
5 shall not be subject to inspection except under order of a court of
6 competent jurisdiction or as provided by regulation for statistical
7 or administrative purposes, only. Upon receipt of notice of annul-
8 ment of adoption, the original certificate of birth shall be restored
9 to its place in the files and the new certificate and evidence shall not
10 be subject to inspection except upon order of a court of competent
11 jurisdiction.

1 SEC. 26. If no certificate of birth is on file for the person for
2 whom a new certificate is to be established, a delayed certificate of
3 birth shall be filed with the state registrar as provided in section
4 sixteen (16), or sections eighteen (18) and nineteen (19) of this
5 Act, before a new certificate of birth is established, except that when
6 the date and place of birth and parentage have been established in
7 the adoption proceedings, a delayed certificate shall not be required.

8 When a new certificate of birth is established by the state registrar,
9 all copies of the original certificate of birth in the custody of any
10 custodian of permanent local records in this state shall be sealed from
11 inspection or forwarded to the state registrar of vital statistics, as he
12 shall direct.

1 SEC. 27. A death certificate for each death which occurs in this
2 state shall be filed with the local registrar of the district in which the
3 death occurred within three days after the death and prior to final
4 disposition, and shall be registered by the registrar if it has been com-
5 pleted and filed in accordance with this Act. All information includ-
6 ing the certifying physician's name shall be typewritten.

7 If the place of death is unknown, a death certificate shall be filed in
8 the registration district in which a dead body is found within three
9 days after the body is found. If death occurs in a moving conveyance,
10 a death certificate shall be filed in the registration district in which
11 the dead body was first removed from the conveyance.

1 SEC. 28. The funeral director who first assumes custody of a dead
2 body shall file the death certificate. He shall obtain the personal data
3 from the next of kin or the best qualified person or source available
4 and shall obtain the medical certification of cause of death from the
5 person responsible for issuing and signing the certification. When a
6 person other than a funeral director assumes custody of a dead body,

7 the person shall be responsible for carrying out the provisions of
8 this section.

1 SEC. 29. The medical certification shall be completed and signed
2 within twenty-four hours after death by the physician in charge of
3 the patient's care for the illness or condition which resulted in death
4 except when inquiry is required by the county medical examiner.
5 When inquiry is required by the county medical examiner, the medical
6 examiner shall investigate the cause of death and shall complete and
7 sign the the medical certification within twenty-four hours after
8 taking charge of the case.

1 SEC. 30. A fetal death certificate for each fetal death which occurs
2 in this state after a gestation period of twenty completed weeks or
3 more shall be filed with the local registrar of the district in which the
4 delivery of the dead fetus occurred within three days after delivery
5 and prior to final disposition of the fetus and shall be registered if it
6 has been completed and filed in accordance with this Act.

7 If the place of delivery of a dead fetus is unknown, a fetal death
8 certificate shall be filed in the registration district in which a dead
9 fetus was found within three days after the fetus is found. If a fetal
10 death occurs in a moving conveyance, a fetal death certificate shall be
11 filed in the registration district in which the fetus was first removed
12 from the conveyance.

1 SEC. 31. The funeral director who first assumes custody of a
2 fetus shall file the fetal death certificate. In the absence of such a
3 person, the physician or other person in attendance at or after the
4 delivery shall file the certificate of fetal death. The person filing the
5 certificate shall obtain the personal data from the next of kin or the
6 best qualified person or source available and shall obtain the medical
7 certification of cause of death from the person responsible for issuing
8 and signing the certification. When a person other than a funeral
9 director assumes custody of a fetus, the person shall be responsible
10 for carrying out the provisions of this section.

1 SEC. 32. The medical certification shall be completed and signed
2 within twenty-four hours after delivery by the physician in attend-
3 ance at or after delivery except when inquiry is required by the
4 county medical examiner.

5 When a fetal death occurs without medical attendance upon the
6 mother at or after delivery or when inquiry is required by the county
7 medical examiner, the medical examiner shall investigate the cause
8 of fetal death and shall complete and sign the medical certification
9 within twenty-four hours after taking charge of the case.

1 SEC. 33. The funeral director who first assumes custody of a
2 dead body or fetus shall obtain a burial-transit permit prior to
3 final disposition of the body or fetus and within seventy-two hours
4 after death. When a person other than a funeral director assumes
5 custody of a dead body or fetus, the person shall be responsible for
6 securing the permit required in this section. A burial-transit per-
7 mit shall be issued by the local registrar of the district where the
8 certificate of death or fetal death was filed in accordance with the

9 requirements of sections twenty-seven (27) through thirty-two (32),
10 inclusive, of this Act.

1 SEC. 34. A burial-transit permit issued under the law of another
2 state which accompanies a dead body or fetus brought into this state
3 shall be authority for final disposition of the body or fetus in this
4 state.

1 SEC. 35. Disinterment of a dead body or fetus shall be allowed
2 for the purpose of autopsy or reburial only, and then only if accom-
3 plished by a licensed funeral director or embalmer. A permit for
4 such disinterment and, thereafter, reinterment shall be issued by
5 the state registrar according to rules and regulations adopted pur-
6 suant to chapter seventeen A (17A) of the Code or when ordered by
7 the district court of the county in which such body is buried. The
8 state registrar, without a court order, shall not issue a permit with-
9 out the consent of the surviving spouse or in case of such spouse's
10 absence, death, or incapacity, the next of kin. Disinterment for the
11 purpose of reburial may be allowed by court order only upon a show-
12 ing of substantial benefit to the public. Disinterment for the pur-
13 pose of autopsy or reburial by court order shall be allowed only when
14 reasonable cause is shown that someone is criminally or civilly re-
15 sponsible for such death, after hearing, upon reasonable notice pre-
16 scribed by the court to the surviving spouse or in his or her absence,
17 death, or incapacity, the next of kin. Due consideration shall be
18 given to the public health, the dead, and the feelings of relatives.

1 SEC. 36. The department may, by regulation and upon such con-
2 ditions as it may prescribe to assure compliance with the purposes
3 of this Act, provide for extension of the periods prescribed in sec-
4 tions twenty-seven (27), twenty-nine (29), thirty (30), thirty-two
5 (32), and thirty-three (33) of this Act for filing of death certificates,
6 fetal death certificates, medical certifications of cause of death and
7 for the obtaining of burial-transit permits in cases in which com-
8 pliance with the applicable prescribed period would result in undue
9 hardship.

10 Regulation of the department may provide for the issuance of a
11 burial-transit permit under section thirty-three (33) of this Act
12 prior to the filing of a complete certificate of death or fetal death
13 upon conditions designed to assure compliance with the purposes of
14 this Act in cases in which compliance with the requirement that the
15 complete certificate be filed prior to the issuance of the permit would
16 result in undue hardship.

1 SEC. 37. A certificate recording each marriage performed in this
2 state shall be filed with the state registrar. The clerk of the dis-
3 trict court shall prepare the certificate on the form furnished by the
4 state registrar upon the basis of information obtained from the
5 parties to be married, who shall attest to the information by their
6 signatures. The clerk of the district court in each county shall keep
7 a record book for marriages. The form of marriage record books
8 shall be uniform throughout the state and shall be prescribed by the
9 state department. Marriage record books shall be provided at county
10 expense. A properly indexed permanent record of marriage certifi-

11 cates upon microfilm, electronic computer, or data processing equip-
12 ment may be kept instead of marriage record books.

13 Every person who performs a marriage shall certify the fact of
14 marriage and return the certificate to the clerk of the district court
15 within fifteen days after the ceremony. The certificate shall be
16 signed by the witnesses to the ceremony and the person performing
17 the ceremony.

18 The clerk of the district court shall record and forward to the
19 state registrar on or before the tenth day of each calendar month
20 the original certificates of marriages filed with him during the pre-
21 ceding calendar month.

1 SEC. 38. For each divorce* or annulment of marriage granted by
2 any court in this state, a record shall be prepared by the clerk of
3 court or by the petitioner or his legal representative if directed by
4 the clerk and filed by the clerk of court with the state registrar.
5 The information necessary to prepare the report shall be furnished
6 with the petition, to the clerk of court by the petitioner or his legal
7 representative, on forms supplied by the state registrar.

8 The clerk of the district court in each county shall keep a record
9 book for divorces. The form of divorce record books shall be uniform
10 throughout the state and shall be prescribed by the state department.
11 Divorce record books shall be provided at county expense. A prop-
12 erly indexed record of divorces upon microfilm, electronic computer,
13 or data processing equipment may be kept instead of divorce record
14 books.

15 On or before the tenth day of each calendar month, the clerk of
16 court shall forward to the state registrar the record of each divorce
17 and annulment granted during the preceding calendar month and
18 such related reports as may be required by regulations issued under
19 this Act.

1 SEC. 39. To protect the integrity and accuracy of vital statistics
2 records, a certificate or record registered under this Act may be
3 amended only in accordance with this Act and regulations adopted
4 hereunder. A certificate that is amended under this section shall be
5 marked "amended" except as provided in section forty-one (41) of
6 this Act. The date of amendment and a summary description of the
7 evidence submitted in support of the amendment shall be endorsed
8 on or made a part of the record. The department shall prescribe
9 by regulation the conditions under which additions or minor correc-
10 tions shall be made to birth certificates within one year after the
11 date of birth without the certificate being marked "amended".

1 SEC. 40. Upon receipt of a certified copy of a court order from a
2 court of competent jurisdiction or certificate of the clerk of court
3 pursuant to chapter six hundred seventy-four (674) of the Code
4 changing the name of a person born in this state and upon request
5 of such person or his parent, guardian, or legal representative, the
6 state registrar shall amend the certificate of birth to reflect the new
7 name.

1 SEC. 41. Upon request and receipt of a sworn acknowledgment
2 of paternity of a child born out of wedlock signed by both parents,

*See ch. 1266.

3 the state registrar shall amend a certificate of birth to show paternity
4 if paternity is not shown on the birth certificate. Upon written re-
5 quest of the parents, the surname of the child may be changed on
6 the certificate to that of the father. Such certificate shall not be
7 marked "amended".

1 SEC. 42. When a certificate is amended under sections thirty-
2 nine (39) through forty-one (41), inclusive, of this Act, the state
3 registrar shall report the amendment to the custodian of any perma-
4 nent local records and such records shall be amended accordingly.

1 SEC. 43. To preserve original documents, the state registrar may
2 prepare typewritten, photographic, or other reproductions of original
3 records and files in his office. Such reproductions when certified by
4 him shall be accepted as the original record.

1 SEC. 44. To protect the integrity of vital statistics records, to in-
2 sure their proper use, and to insure the efficient and proper adminis-
3 tration of the vital statistics system kept by the state registrar,
4 access to vital statistics records kept by the state registrar shall be
5 limited to the state registrar and his employees, and then only for
6 administrative purposes. It shall be unlawful for the state registrar
7 to permit inspection of, or to disclose information contained in vital
8 statistics records, or to copy or permit to be copied all or part of
9 any such record except as authorized by regulation.

1 SEC. 45. The department may permit access to vital statistics by
2 professional genealogists and historians, and may authorize the dis-
3 closure of data contained in vital statistics records when deemed
4 essential for bona fide research purposes which are not for private
5 gain. Information in vital statistics records indicating that a birth
6 occurred out of wedlock shall not be disclosed except as provided by
7 regulation or upon order of a district court.

1 SEC. 46. The state registrar and the clerk of the district court
2 shall, upon written request from any applicant entitled to such rec-
3 ord, issue a certified copy of any certificate or record in his custody
4 or of a part thereof. Each copy issued shall show the date of regis-
5 tration; and copies issued from records marked "delayed", "amended",
6 or "court order" shall be similarly marked and show the effective date.
7 A certified copy of a certificate, or any part thereof, shall be con-
8 sidered for all purposes the same as the original and shall be prima
9 facie evidence of the facts therein stated, provided that the eviden-
10 tiary value of a certificate or record filed more than one year after
11 the event, or a record which has been amended, shall be determined
12 by the judicial or administrative body or official before whom the
13 certificate is offered as evidence.

14 The national division of vital statistics may be furnished copies
15 or data which it requires for national statistics, provided that the
16 state be reimbursed for the cost of furnishing data, and provided
17 further that data shall not be used for other than statistical purposes
18 by the national division of vital statistics unless so authorized by the
19 state registrar.

20 Federal, state, local, and other public or private agencies may,

21 upon written request, be furnished copies or data for statistical pur-
22 poses upon terms or conditions prescribed by the department.

23 No person shall prepare or issue any certificate which purports to
24 be an original, certified copy, or copy of a certificate of birth, death,
25 fetal death, or marriage except as authorized in this Act.

1 SEC. 47. A fee of two dollars per copy shall be collected for each
2 certified copy or short form certification of certificates or records,
3 or for a search of the files or records when no copy is made, or when
4 no record is found on file. Fees collected under this section shall
5 be deposited in the general fund.

1 SEC. 48. Every person in charge of an institution shall keep a
2 record of personal particulars and data concerning each person ad-
3 mitted or confined to the institution. This record shall include
4 information required by the standard certificate of birth, death, and
5 fetal death forms issued under the provisions of this Act. The record
6 shall be made at the time of admission from information provided
7 by such person, but when it cannot be so obtained, the same shall be
8 obtained from relatives or other persons acquainted with the facts.
9 The name and address of the person providing the information shall
10 be a part of the record.

1 SEC. 49. When a dead human body is released or disposed of by
2 an institution, the person in charge of the institution shall keep a
3 record showing the name of the deceased, date of death, name and
4 address of the person to whom the body is released, date of removal
5 from the institution, or if finally disposed of by the institution, the
6 date, place, and manner of disposition shall be recorded.

1 SEC. 50. A funeral director, embalmer, or other person who
2 removes from the place of death or transports or finally disposes of
3 a dead body or fetus, in addition to filing any certificate or other
4 form required by this Act, shall keep a record which shall identify
5 the body, and information pertaining to his receipt, removal, and
6 delivery of the body as prescribed by the department.

1 SEC. 51. Records maintained under sections forty-eight (48)
2 through fifty (50), inclusive, of this Act shall be retained for a
3 period of not less than ten years and shall be made available for
4 inspection by the state registrar or his representative upon demand.

1 SEC. 52. Any person having knowledge of the facts shall furnish
2 information he may possess regarding any birth, death, fetal death,
3 adoption, marriage, divorce, or annulment, upon demand of the state
4 registrar or his representative.

1 SEC. 53. Upon conviction of the following, punishment by a fine
2 of not more than one thousand dollars, or imprisonment for not more
3 than one year, or both such fine and imprisonment shall be inflicted
4 upon any person who:

5 1. Willfully and knowingly makes any false statement in a report,
6 record, or certificate required to be filed under this Act, or in an
7 application for an amendment thereof, or willfully and knowingly
8 supplies false information intending that such information be used
9 in the preparation of any such report, record, or certificate, or
10 amendment thereof.

11 2. Without lawful authority and with the intent to deceive, makes,
12 alters, amends, or mutilates any report, record, or certificate re-
13 quired to be filed under this Act or a certified copy of such report,
14 record, or certificate.

15 3. Willfully and knowingly uses or attempts to use or furnish to
16 another for use for any purpose of deception, any certificate, record,
17 report, or certified copy thereof so made, altered, amended, or muti-
18 lated.

19 4. Willfully, with the intent to deceive, uses or attempts to use
20 any certificate of birth or certified copy of a record of birth knowing
21 that such certificate or certified copy was issued upon a record
22 which is false in whole or in part or which relates to the birth of
23 another person.

24 5. Willfully and knowingly furnishes a certificate of birth or cer-
25 tified copy of a record of birth with the intention that it be used by
26 a person other than the person whose birth the record relates.

27 6. Disinterring a body in violation of section thirty-five (35) of
28 this Act.

1 SEC. 54. Upon conviction of the following, punishment by a fine
2 of not less than twenty-five dollars nor more than one hundred dollars,
3 or imprisonment in the county jail for not more than thirty days
4 shall be inflicted upon any person who:

5 1. Knowingly transports or accepts for transportation, interment,
6 or other disposition a dead body without an accompanying permit as
7 provided in this Act.

8 2. Refuses to provide information required by this Act.

9 3. Willfully violates any of the provisions of this Act or refuses
10 to perform any of the duties imposed upon him by this Act.

1 SEC. 55. The department shall report cases of alleged violations
2 to the proper county attorney, with a statement of the facts and cir-
3 cumstances, for such action as is appropriate.

1 SEC. 56. Upon request of the department, the attorney general
2 shall assist in the enforcement of the provisions of this Act.

1 SEC. 57. Section one hundred thirty-five point eleven (135.11),
2 subsection fourteen (14), Code 1966, is hereby amended by striking
3 from line three (3) the word and figures “, chapter 144”.

1 SEC. 58. Section three hundred thirty-nine point seven (339.7)*,
2 Code 1966, is hereby amended by striking from line nine (9) the word
3 and figures “chapter 141” and inserting in lieu thereof the word
4 “law”.

1 SEC. 59. Section three hundred thirty-nine point twelve (339.12)*,
2 Code 1966, is hereby amended by striking from lines thirty-two (32)
3 and thirty-three (33) the words and figures “according to the provi-
4 sions of chapters 141 and 144”.

1 SEC. 60. Section five hundred ninety-eight point three (598.3)**,
2 Code 1966, is hereby amended by inserting in line twelve (12) after
3 the semicolon the following: “such information as required by sec-
4 tion thirty-eight (38) of this Act”.

*Repealed by 63GA, ch. 1280, §23.

**Repealed by 63GA, ch. 1266, §1.

1 SEC. 61. Section six hundred point one (600.1), Code 1966, is
 2 hereby amended by striking in line thirty-four (34) the period and
 3 inserting in lieu thereof the following: “; and the information
 4 required pursuant to section twenty-one (21) of this Act or a state-
 5 ment that such information is not available after diligent inquiry.”

Approved April 8, 1970.

CHAPTER 1082

BASIC SCIENCES

H. F. 1032

AN ACT to clarify the basic science law.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section one hundred forty-six point five (146.5), Code
 2 1966, is repealed and the following enacted in lieu thereof:

3 “This chapter shall not be construed to apply to dentists, dental
 4 hygienists, nurses, pharmacists, physical therapists, optometrists,
 5 embalmers, podiatrists, barbers or cosmetologists practicing within
 6 the limits of their respective licenses or to Christian Science practi-
 7 tioners”.

1 SEC. 2. This Act shall not be construed to prejudice the rights of
 2 any person which may have accrued under the law herein repealed.

Approved January 28, 1970.

CHAPTER 1083

PRACTICE OF MEDICINE

S. F. 1319

AN ACT relating to licenses in the practice of medicine.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section one hundred forty-seven point eighty (147.80),
 2 Code 1966, as amended by chapter one hundred thirty-eight (138),
 3 section one (1), and chapter one hundred thirty-nine (139), section
 4 one (1), Acts of the Sixty-third General Assembly, First Session, and
 5 further amended by Senate File 77, Acts of the Sixty-third General
 6 Assembly, Second Session, is hereby further amended by striking in
 7 line six (6) of subsection seven (7), the word “five” and inserting in
 8 lieu thereof the word “fifteen”.

Approved April 27, 1970.