

CHAPTER 656

S.B. No. 1105

An Act relating to information in records of births and deaths; providing for hearings; amending Sections 2 and 5, Article 4477f, Revised Statutes.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 2, Article 4477f, Revised Statutes, is amended to read as follows:

“Section 2. **ADDENDUM.** If the state registrar receives information that may contradict the information shown in a birth, death, or fetal death record required to be maintained in the bureau, the state registrar ~~may~~ ~~shall~~ attach an addendum to the original record setting out the conflicting information. *If the state registrar attaches an addendum to an original record, the [The] state registrar shall instruct each local registration official in whose jurisdiction the birth, death, or fetal death described in the record occurred, to attach an identical addendum to any duplicate of the record in the custody of the official.*”

SECTION 2. Section 5, Article 4477f, Revised Statutes, is amended to read as follows:

“Section 5. **HEARING.** If the state registrar refuses to issue the certified copy as prescribed by Section 3 of this article, the department shall give the applicant an opportunity for a hearing [~~before the department to determine if there is substantial evidence to support the state registrar's action~~]. The department shall hold the hearing in accordance with the department's formal hearing rules and the applicable provisions of the Administrative Procedure and Texas Register Act (Article 6252-13a, Vernon's Texas Civil Statutes).”

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed the Senate on May 2, 1985, by the following vote: Yeas 31, Nays 0; passed the House on May 17, 1985, by the following vote: Yeas 134, Nays 0, one present not voting.

Approved: June 14, 1985

Effective: Immediately