

CHAPTER 30

S.B. No. 267

AN ACT

relating to the certification of births and to birth certificates.

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

SECTION 1. Section 192.003, Health and Safety Code, is amended to read as follows:

Sec. 192.003. BIRTH CERTIFICATE FILED OR BIRTH REPORTED. (a) The physician, midwife, or person acting as a midwife in attendance at a birth shall file the birth certificate with the local registrar of the registration district in which the birth occurs.

(b) *If a birth occurs in a hospital or birthing center, the hospital administrator, the birthing center administrator, or a designee of the appropriate administrator may file the birth certificate in lieu of a person listed by Subsection (a).*

(c) If there is no physician, midwife, or person acting as a midwife in attendance at a birth and if the birth does not occur in a hospital or birthing center, the following in the order listed shall report the birth to the local registrar:

(1) the father or mother of the child; or

(2) the owner or householder of the premises where the birth occurs [~~if the birth does not occur in an institution, or the manager or superintendent of the institution in which the birth occurs~~].

(d) [~~e~~] A person required to file a birth certificate or report a birth shall file the certificate or make the report not later than the fifth day after the date of the birth.

SECTION 2. Subsection (a), Section 192.004, Health and Safety Code, is amended to read as follows:

(a) The local registrar shall obtain the information necessary to prepare the birth certificate from the person reporting a birth or from another person with the required knowledge if:

(1) the birth is reported under Section 192.003(c) [~~192.003(b)~~]; or

(2) a person [~~physician, midwife, or person acting as a midwife~~] who files a certificate under Section 192.003(a) or 192.003(b) cannot by diligent inquiry obtain an item of information required for the certificate.

SECTION 3. Subsection (g), Section 81.090, Health and Safety Code, is repealed.

SECTION 4. This Act takes effect September 1, 1993.

SECTION 5. 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.

Passed the Senate on February 24, 1993, by a viva-voce vote; passed the House on April 1, 1993, by a non-record vote.

Approved April 14, 1993.

Effective Sept. 1, 1993.