

CHAPTER 206

S.B. No. 385

AN ACT

relating to birth and death records.

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

SECTION 1. Subsection A, Section 18, Chapter 41, Acts of the 40th Legislature, 1st Called Session, 1927, as amended (Rule 51a, Article 4477, Vernon's Texas Civil Statutes), is amended to read as follows:

A. The Texas [State] Department of Health shall prepare, print, and supply to local registrars all blanks and forms used in registering, recording, and preserving the returns, or in otherwise carrying out the purposes of this Act, and each city and incorporated town shall supply its local registrar, and each county shall supply the county clerk with permanent record books, in forms approved by the State Registrar, for the recording of all births, deaths, and fetal deaths occurring within their respective jurisdictions. The State Registrar shall prepare and issue such detailed instructions as may be required to procure the uniform observance of its provisions and the maintenance of a perfect system of registration; and no other forms shall be used than those approved by the Texas [State] Department of Health. *The State Registrar [He]* shall carefully examine the certificates received monthly from the local registrars, and if any such are incomplete or unsatisfactory *the registrar [he]* shall require such further information to be supplied as may be necessary to make the record complete and satisfactory. All physicians, midwives, informants or funeral directors, and all other persons having knowledge of the facts, are hereby required to supply, upon a form provided by the Texas [State] Department of Health, or upon the original certificate, such information as they may possess regarding any birth, death, or fetal death upon demand of the State Registrar, in person, by mail, or through the local registrar. After its acceptance for registration by the local registrar, no record of any birth, death, or fetal death shall be altered or changed; provided, however, that if any such record is incomplete, or satisfactory evidence can be submitted proving the record to be in error in any respect, an amending certificate may be filed for the purpose of completing or correcting such record, which amendment shall be in a form prescribed by the Texas [State] Department of Health and shall, if accepted for filing, be attached to and become a part of the legal record of such birth, death, or fetal death. The State Registrar shall further arrange, bind, and permanently preserve the certificates in a systematic manner, and shall prepare and maintain a comprehensive index of all births and deaths registered; said index to be arranged alphabetically, in the case of deaths, by the names of decedents, and in the case of births, by the names of fathers and mothers. When the State Registrar receives the death certificate of a person under 55 [18] years of age whose birth has been registered in this state, the State Registrar shall make a conspicuous notation on the face of the decedent's birth certificate showing that the person is dead and shall provide copies of the death certificate to the county clerk of the county in which the decedent was born and to the local registrar of the district in which the decedent was born. If any organization or individual is in possession of any record of births or deaths which may be of value in establishing the genealogy of any resident of this state, such organization or individual may file such record or a duly authenticated transcript thereof with the State Registrar.

SECTION 2. 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 April 24, 1987, by the following vote: Yeas 30, Nays 0. Passed the House on May 15, 1987, by the following vote: Yeas 144, Nays 0, one present not voting.

Approved May 28, 1987.

Effective May 28, 1987.