



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-5346/1
SWB:ahe

2017 SENATE BILL 760

February 1, 2018 - Introduced by Senators OLSEN, TESTIN, MARKLEIN and BEWLEY, cosponsored by Representatives BALLWEG, BERCEAU, DOYLE, JACQUE, KOLSTE, NOVAK, SINICKI, TUSLER, VRUWINK, ZIMMERMAN, KRUG, VANDERMEER and SPIROS. Referred to Committee on Economic Development, Commerce and Local Government.

1 **AN ACT to repeal** 69.04 (1) (a) 1., 69.04 (2) (b), 69.05 (2), (3) and (3m), 69.06 (2),
2 (3) and (5), 69.07 (2), 69.08 (6), 69.10 (1) (a), 69.11 (5) (a) 2. d., 69.14 (1) (a) 2.
3 and 3., 69.14 (3) (b), 69.18 (1m) (a) 3., 69.22 (4) and 69.23; **to renumber and**
4 **amend** 69.04 (1) (a) 2. and 69.14 (1) (a) 1.; **to consolidate, renumber and**
5 **amend** 69.10 (1) (intro.) and (b); and **to amend** 40.71 (3) (a), 40.73 (3) (c),
6 48.195 (1), 48.385 (2), 48.43 (4), 48.432 (1) (am) 1., 48.433 (2), (3) (a) and (8) (a),
7 48.94 (title), (1) and (2) (intro.), 48.978 (3) (g) 2., 49.22 (7g) (a), 49.785 (1r) (b),
8 49.84 (2), 59.365 (1) (b) and (3) (a), 59.43 (1c) (b), 69.01 (1r), 69.01 (8), 69.01 (10),
9 69.01 (11), 69.01 (15) (b), 69.01 (16m), 69.01 (19), 69.01 (21), 69.01 (24), 69.01
10 (25) (intro.), 69.01 (26) (a), 69.01 (26) (c), 69.01 (27), 69.02 (1) (a), 69.03 (2), 69.03
11 (3), 69.03 (4), 69.03 (5), 69.03 (6), 69.03 (7), 69.03 (8), 69.03 (11), 69.03 (14), 69.03
12 (15), 69.035 (4), 69.04 (2) (a), 69.04 (2) (c), 69.04 (3) (a), 69.05 (4), 69.06 (1), 69.07
13 (1), 69.08 (1), 69.08 (2), 69.08 (3), 69.08 (5), 69.08 (7), 69.11 (3) (b) 1., 69.11 (3)
14 (b) 2., 69.11 (3) (c) (intro.), 69.11 (3) (e) 1., 69.11 (4) (b), 69.11 (5) (b), 69.12 (1),

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1 69.12 (2), 69.12 (3), 69.12 (4), 69.12 (5), 69.13 (intro.) and (1), 69.13 (2) (a), 69.13
2 (2) (b) 1., 69.13 (2) (b) 4., 69.13 (2) (b) 5., 69.14 (1) (b), 69.14 (1) (c) (intro.), 69.14
3 (1) (d), (e), (f), (g) and (h), 69.14 (2) (a), 69.14 (2) (b) 1. and 2. (intro.), 3. a., b. and
4 d., 4. (intro.), 5., 6., 7. (intro.) and 8. (intro.) and a., 69.14 (3) (a) (intro.) and 6.,
5 69.14 (3) (c), 69.145 (title), (1) (a), (b) and (c), (2) (a), (b) and (c), (3) and (4) (a)
6 and (b) (intro.), 1. and 2., 69.15 (title), (1) (intro.) and (b), (2) (a) (intro.), 2., 5.
7 and 6., (b), (c) and (d) 1. (intro.), a., c., d. and e., 2. and 3. and (e), (3) (a) (intro.),
8 1., 2., 3. and 4., (b) 1., 3. and 4. (intro.), (c) and (d), (3m) (a) 2. and 3. and (b), (4)
9 (a) and (b), (4m) (a) 1. and (b), (5) and (6) (title), (a), (b) and (c), 69.16 (2), 69.17,
10 69.18 (1) (b) (intro.), 69.18 (1) (bm) (intro.), 69.18 (1) (c), 69.18 (1) (cm) 1. (intro.),
11 69.18 (1) (d), 69.18 (1m) (intro.), 69.18 (1m) (a) 5., 69.18 (1m) (b) 2., 69.18 (2) (a),
12 (b), (d) 1. and 2., (e) and (f) 1. and 3. and (3) (a), 69.19, 69.20 (2) (a) (intro.) and
13 2. and (c), (3) (b) 4., (c) and (e) (intro.), 1. a. and b. and 2. and (4), 69.21 (1) (a)
14 1., 69.21 (1) (a) 2. (intro.), 69.21 (1) (a) 2. b., 69.21 (1) (a) 2. c., 69.21 (1) (b) 2.,
15 69.21 (1) (b) 3., 69.21 (1) (b) 4., 69.21 (1) (b) 5., 69.21 (2) (a), 69.21 (3), 69.21 (4)
16 (b), 69.22 (1) (c), 69.22 (1) (cm), 69.22 (1m), 69.22 (1q) (c), 69.22 (5) (a) 3., 69.22
17 (5) (b) 2., 69.24 (1) (b), 69.24 (1) (c), 69.24 (1) (d), 69.24 (1) (e), 69.24 (1) (h), 69.24
18 (2) (a), 69.24 (2) (b), 100.545 (1) (h) 2., 103.34 (3) (a) 3., 103.73 (1) (a), 103.76,
19 214.37 (4) (k) 2., 215.26 (8) (e) 2., 343.125 (2) (a) 2., 343.14 (2r), 343.50 (8) (c) 2.,
20 445.13 (1m) (a), 445.13 (1m) (b), 711.05 (1) (b), 711.12 (7) (a), 765.002 (4), 765.09
21 (3) (b), 767.80 (6m), 767.803, 767.805 (5) (b), 767.805 (6) (c), 767.87 (1m) (intro.),
22 767.89 (2) (b) 1., 2. and 3., 770.07 (1) (d) 2., 770.10, 770.12 (3), 786.36 (2), 786.36
23 (2m) (a) and (b), 867.045 (1) (intro.), 867.046 (2) (intro.), 891.09 (1), 891.39 (3),

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1 891.395, 895.4803, 938.385 (2), 948.11 (2) (c) and 979.01 (1) (h) of the statutes;
2 **relating to:** changes to vital records references and procedures.

Analysis by the Legislative Reference Bureau

This bill makes various changes to chapter 69 and related provisions to accommodate the use of electronic records. With certain exceptions relating to marriage documentation, the bill changes terminology to reference “records” rather than “certificates” or “documents.” The bill also eliminates unnecessary terminology by grouping references to certain records. Finally, the bill extends the incorporation of references to a “system of vital records” to accommodate and refer to the issuance of records through the use of an electronic system.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 40.71 (3) (a) of the statutes is amended to read:

4 40.71 (3) (a) A copy of the death ~~certificate~~ record of the participant or
5 annuitant;

6 **SECTION 2.** 40.73 (3) (c) of the statutes is amended to read:

7 40.73 (3) (c) Whenever any death benefit is payable in the form of an annuity,
8 the annuity may begin on the day following the date of death of the participant or
9 annuitant if the department has received a copy of the death ~~certificate~~ record of the
10 participant or annuitant, and a written application of the beneficiary for the benefit,
11 subject to the same restrictions on effective dates as set forth for retirement
12 annuities.

13 **SECTION 3.** 48.195 (1) of the statutes, as affected by 2017 Wisconsin Act 12, is
14 amended to read:

15 48.195 (1) **TAKING CHILD INTO CUSTODY.** In addition to being taken into custody
16 under s. 48.19, a child whom a law enforcement officer, emergency medical services
17 practitioner, as defined in s. 256.01 (5), or hospital staff member reasonably believes

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1 to be 72 hours old or younger may be taken into custody under circumstances in
2 which a parent of the child relinquishes custody of the child to the law enforcement
3 officer, emergency medical services practitioner, or hospital staff member and does
4 not express an intent to return for the child. If a parent who wishes to relinquish
5 custody of his or her child under this subsection is unable to travel to a sheriff's office,
6 police station, fire station, hospital, or other place where a law enforcement officer,
7 emergency medical services practitioner, or hospital staff member is located, the
8 parent may dial the telephone number "911" or, in an area in which the telephone
9 number "911" is not available, the number for an emergency medical service
10 provider, and the person receiving the call shall dispatch a law enforcement officer
11 or emergency medical services practitioner to meet the parent and take the child into
12 custody. A law enforcement officer, emergency medical services practitioner, or
13 hospital staff member who takes a child into custody under this subsection shall take
14 any action necessary to protect the health and safety of the child, shall, within 24
15 hours after taking the child into custody, deliver the child to the intake worker under
16 s. 48.20, and shall, within 5 days after taking the child into custody, file a birth
17 certificate record for the child under s. 69.14 (3).

18 **SECTION 4.** 48.385 (2) of the statutes is amended to read:

19 48.385 (2) IDENTIFICATION DOCUMENTS AND OTHER INFORMATION. Except as
20 provided in this subsection, ensure that the child is in possession of a certified copy
21 of the child's birth certificate record, a social security card issued by the federal social
22 security administration, information on maintaining health care coverage, a copy of
23 the child's health care records, and either an operator's license issued under ch. 343
24 or an identification card issued under s. 343.50. If the child is not in possession of
25 any of those documents or that information, the agency shall assist the child in

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1 obtaining any missing document or information. This subsection does not apply to
2 a child who has been placed in out-of-home care for less than 6 months.

3 **SECTION 5.** 48.43 (4) of the statutes is amended to read:

4 48.43 (4) A certified copy of the order terminating parental rights shall be
5 furnished by the court to the agency given guardianship for placement for adoption
6 of the child or to the person appointed as the guardian of the child under s. 48.977
7 (2). The court shall, upon request, furnish a certified copy of the child's birth
8 certificate record and a transcript of the testimony in the termination of parental
9 rights hearing to the same person or agency.

10 **SECTION 6.** 48.432 (1) (am) 1. of the statutes is amended to read:

11 48.432 (1) (am) 1. The mother designated on the individual's or adoptee's
12 original birth certificate record.

13 **SECTION 7.** 48.433 (2), (3) (a) and (8) (a) of the statutes are amended to read:

14 48.433 (2) Any birth parent whose rights have been terminated in this state
15 at any time, or who has consented to the adoption of his or her child in this state
16 before February 1, 1982, may file with the department, or agency contracted with
17 under sub. (11), an affidavit authorizing the department or agency to provide the
18 child with his or her original birth certificate record and with any other available
19 information about the birth parent's identity and location. An affidavit filed under
20 this subsection may be revoked at any time by notifying the department or agency
21 in writing.

22 (3) (a) The person's original birth certificate record.

23 (8) (a) If a birth parent is known to be deceased, the department, or agency
24 contracted with under sub. (11), shall so inform the requester. The department or
25 agency shall provide the requester with the identity of the deceased parent. If both

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1 birth parents are known to be deceased, the department or agency shall provide the
2 requester with his or her original birth certificate record. If only one birth parent is
3 known to be deceased, the department or agency shall provide the requester with his
4 or her original birth certificate record and any available information it has on file
5 regarding the identity and location of the other birth parent if the other birth parent
6 has filed an unrevoked affidavit under sub. (2).

7 **SECTION 8.** 48.94 (title), (1) and (2) (intro.) of the statutes are amended to read:

8 **48.94** (title) **New birth certificate record.** (1) After entry of the order
9 granting the adoption the clerk of the court shall promptly mail a copy thereof to the
10 state bureau of vital ~~statistics~~ records and furnish any additional data needed for the
11 new birth certificate record. Whenever the parents by adoption, or the adopting
12 parent and a birth parent who is the spouse of the adopting parent, request, that the
13 birth certificate record for the person adopted be not changed, then the court shall
14 so order. In such event no new birth certificate record shall be filed by the state
15 registrar of vital ~~statistics~~, notwithstanding the provisions of s. 69.15 (2) or any other
16 law of this state.

17 (2) (intro.) If the court issues an order under s. 69.15 (2) (d) to restore the
18 information from an adoptee's original birth certificate record, the state registrar
19 shall issue a new birth certificate record containing the information from the
20 adoptee's original birth certificate record, except for the adoptee's given name at
21 birth, if different. The restoration of any birth parent's name on the adoptee's birth
22 certificate record does not do any of the following:

23 **SECTION 9.** 48.978 (3) (g) 2. of the statutes is amended to read:

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1 48.978 (3) (g) 2. That the standby guardian has received a determination of
2 incapacity, a death ~~certificate~~ record, or a determination of debilitation and written
3 consent, as provided in par. (c) 1., 2. or 3., whichever is applicable.

4 **SECTION 10.** 49.22 (7g) (a) of the statutes is amended to read:

5 49.22 (7g) (a) Training to hospital staff members concerning the ~~form~~
6 acknowledgment that is prescribed by the state registrar under s. 69.15 (3) (b) 3. and
7 concerning the significance and benefits of, and alternatives to, of establishing
8 paternity.

9 **SECTION 11.** 49.785 (1r) (b) of the statutes is amended to read:

10 49.785 (1r) (b) Fees assessed for the signing of a death ~~certificate~~ record by a
11 coroner or medical examiner.

12 **SECTION 12.** 49.84 (2) of the statutes is amended to read:

13 49.84 (2) At the time of application, the agency administering the public
14 assistance program shall apply to the department of health services for a certified
15 copy of a birth ~~certificate~~ record for the applicant if the applicant is required to
16 provide a birth ~~certificate~~ record or social security number as part of the application
17 and for any person in the applicant's household who is required to provide a birth
18 ~~certificate~~ record or social security number. The department of health services shall
19 provide without charge any copy for which application is made under this subsection.

20 **SECTION 13.** 59.365 (1) (b) and (3) (a) of the statutes are amended to read:

21 59.365 (1) (b) Fees assessed for the signing of a death ~~certificate~~ record by a
22 coroner or medical examiner.

23 (3) (a) Notwithstanding subs. (1) (a) and (b) and (2), if a board that had been
24 providing coroner or lay medical examiner services begins providing physician
25 medical examiner services under an intergovernmental cooperation agreement

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1 under s. 66.0301 after December 31, 2015, and before April 1, 2016, the board may
2 one time set the fee assessed for the signing of a death ~~certificate~~ record at an amount
3 exceeding the amount that was in effect on April 17, 2015, by not more than \$100 and
4 may one time set the fee assessed for the issuance of a cremation permit at an amount
5 exceeding the amount that was in effect on April 17, 2015, by not more than \$100.
6 Fees under this paragraph may be established without regard to any change in the
7 U.S. consumer price index.

8 **SECTION 14.** 59.43 (1c) (b) of the statutes is amended to read:

9 59.43 (1c) (b) Perform the duties that are related to vital statistics records
10 under ss. 69.05 and 69.07.

11 **SECTION 15.** 69.01 (1r) of the statutes is amended to read:

12 69.01 (1r) “Certificate of termination of domestic partnership” means a
13 ~~certificate~~ record issued by a county clerk under s. 770.12 (3).

14 **SECTION 16.** 69.01 (8) of the statutes is amended to read:

15 69.01 (8) “Direction of the state registrar” means the determination in
16 individual cases that statutes are being observed, the issuance of administrative
17 rules, the imposition of statutory penalties and the maintenance of communications
18 within the system of vital statistics records.

19 **SECTION 17.** 69.01 (10) of the statutes is amended to read:

20 69.01 (10) “File” means the acceptance by the local registrar and the initial
21 incorporation of vital records provided under this subchapter into the system of vital
22 statistics records.

23 **SECTION 18.** 69.01 (11) of the statutes is amended to read:

24 69.01 (11) “Filing party” means any person who submits a vital record to a local
25 registrar for filing in the system of vital statistics records.

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1 **SECTION 19.** 69.01 (15) (b) of the statutes is amended to read:

2 69.01 (15) (b) The city registrar responsible for filing ~~certificates of births or~~
3 ~~certificates of births and deaths~~ death records in his or her city.

4 **SECTION 20.** 69.01 (16m) of the statutes is amended to read:

5 69.01 (16m) “Medical certification” means those portions of a death ~~certificate~~
6 record that provide the cause of death, the manner of death, injury-related data, and
7 any other medically-related data that is collected as prescribed by the state registrar
8 under s. 69.18 (1m) (c) 2.

9 **SECTION 21.** 69.01 (19) of the statutes is amended to read:

10 69.01 (19) “Registrant” means the subject of a ~~certificate~~ record or declaration
11 which a local registrar has accepted for filing in the system of vital ~~statistics~~ records.

12 **SECTION 22.** 69.01 (21) of the statutes is amended to read:

13 69.01 (21) “Registration district” means a county, except that a city approved
14 under s. 69.04 is a registration district for filing ~~certificates of births or certificates~~
15 ~~of births and deaths~~ death records occurring in the city.

16 **SECTION 23.** 69.01 (24) of the statutes is amended to read:

17 69.01 (24) “State registrar” means the state registrar of vital ~~statistics~~ records
18 appointed by the department under s. 69.02 (1) (b).

19 **SECTION 24.** 69.01 (25) (intro.) of the statutes is amended to read:

20 69.01 (25) (intro.) “System of vital ~~statistics~~” records” means:

21 **SECTION 25.** 69.01 (26) (a) of the statutes is amended to read:

22 69.01 (26) (a) ~~Certificates~~ Records of birth, death, divorce or annulment, and
23 termination of domestic partnership, marriage ~~documents~~, and declarations of
24 domestic partnership.

25 **SECTION 26.** 69.01 (26) (c) of the statutes is amended to read:

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1 69.01 **(26)** (c) Data related to ~~documents~~ records under par. (a) or worksheets
2 under par. (b).

3 **SECTION 27.** 69.01 (27) of the statutes is amended to read:

4 69.01 **(27)** “Vital statistics” means the data derived from ~~certificates~~ records of
5 birth, death, divorce or annulment, ~~and~~ termination of domestic partnership,
6 marriage ~~documents~~, declarations of domestic partnership, fetal death reports, or
7 related reports.

8 **SECTION 28.** 69.02 (1) (a) of the statutes is amended to read:

9 69.02 **(1)** (a) Establish a unit called the office of vital statistics records.

10 **SECTION 29.** 69.03 (2) of the statutes is amended to read:

11 69.03 **(2)** Direct the system of vital statistics records.

12 **SECTION 30.** 69.03 (3) of the statutes is amended to read:

13 69.03 **(3)** Supervise the office of vital statistics records.

14 **SECTION 31.** 69.03 (4) of the statutes is amended to read:

15 69.03 **(4)** Act as custodian of all records in the office of vital statistics records
16 and preserve, index and certify the records by photographic, electronic or other
17 means, as determined by the state registrar.

18 **SECTION 32.** 69.03 (5) of the statutes is amended to read:

19 69.03 **(5)** Under this subchapter, accept for registration, assign a date of
20 acceptance, and index and preserve original ~~certificates~~ records of birth ~~and~~, death,
21 ~~original~~ marriage ~~documents~~, ~~original~~, divorce reports, ~~original~~, declarations of
22 domestic partnership, and ~~original certificates~~ of termination of domestic
23 partnership. Indexes prepared for public use under s. 69.20 (3) (e) shall consist of
24 the registrant’s full name, date of the event, county of occurrence, county of
25 residence, and, at the discretion of the state registrar, state file number.

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1 Notwithstanding s. 69.24 (1) (e), the state registrar may transfer the paper original
2 of a vital record to optical disc or electronic format in accordance with s. 16.61 (5) or
3 to microfilm reproduction in accordance with s. 16.61 (6) and destroy the paper
4 original of any vital record that is so converted. For the purposes of this subchapter,
5 the electronic format version or microfilm reproduction version of the paper original
6 of a vital record that has been transferred under this subsection shall serve as the
7 original vital record.

8 **SECTION 33.** 69.03 (6) of the statutes is amended to read:

9 69.03 (6) Direct any activity related to the operation of the system of vital
10 ~~statistics~~ records.

11 **SECTION 34.** 69.03 (7) of the statutes is amended to read:

12 69.03 (7) Conduct training programs to promote uniformity of policy and
13 procedures in this state in the system of vital ~~statistics~~ records.

14 **SECTION 35.** 69.03 (8) of the statutes is amended to read:

15 69.03 (8) Prescribe, furnish and distribute forms required under this
16 subchapter and chs. 765 and 770 and prescribe any other means for transmission of
17 data necessary to accomplish complete and accurate reporting and registration.
18 When reasonable and possible the state registrar shall base the prescribed forms on
19 the standard forms recommended by the federal agency responsible for
20 administering the national system of vital ~~statistics~~ records.

21 **SECTION 36.** 69.03 (11) of the statutes is amended to read:

22 69.03 (11) ~~Provide a copy or notice of~~ Make available any vital record or
23 court-ordered change of fact prepared by the state registrar under ss. 69.14 (1) (h)
24 and (2) (a) and (b) 5., 69.15, 69.16 (2) and 69.19 or any authorization for an
25 amendment under ss. 69.11 and 69.12 to the register of deeds of the county where the

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1 event which is the subject of the vital record, change of fact or amendment occurred
2 and, if the event occurred in a city which is a registration district and responsible for
3 registering the event, to the city registrar of the city.

4 **SECTION 37.** 69.03 (14) of the statutes is amended to read:

5 69.03 (14) Provide hospitals with a pamphlet containing information for
6 parents about birth certificates records including how to add the name of the father
7 of a child whose parents were not married at any time from the conception to the birth
8 of the child to the birth certificate record under s. 69.15 (3) (b) or, if the father will
9 not sign an affidavit, through a paternity action; the legal significance and future
10 medical advantages to the child of having the father's name inserted on the birth
11 certificate record; and the availability of services under s. 49.22.

12 **SECTION 38.** 69.03 (15) of the statutes is amended to read:

13 69.03 (15) Periodically provide to each county child support agency under s.
14 59.53 (5) a list of names and, notwithstanding s. 69.20 (2) (a), addresses of registrants
15 who reside in that county for whom no father's name has been inserted on the
16 registrant's birth certificate record within 6 months of birth.

17 **SECTION 39.** 69.035 (4) of the statutes is amended to read:

18 69.035 (4) Wherever this subchapter provides for correction, delayed
19 registration, copying or determination of the validity of, or disclosure of information
20 from, vital records, pursuant to an order of a court, circuit court or court of competent
21 jurisdiction, the state registrar shall, in a like manner, correct, register, copy,
22 determine the validity of, or disclose information from, comparable vital records
23 pertaining to tribally related events, pursuant to an order of the court of any
24 federally recognized Indian tribe or band in this state. In order for the state registrar
25 to provide access to an original birth certificate record or any accompanying

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1 documents in an adoption case, the tribal court which orders access to such records
2 or documents shall be the court with jurisdiction over the adoption.

3 **SECTION 40.** 69.04 (1) (a) 1. of the statutes is repealed.

4 **SECTION 41.** 69.04 (1) (a) 2. of the statutes is renumbered 69.04 (1) (a) and
5 amended to read:

6 69.04 (1) (a) The state registrar may approve a city as a registration district
7 for registration of deaths occurring in the city ~~if the state registrar has approved the~~
8 ~~city for registration of births under subd. 1.~~ and if the state registrar determines that
9 the city has staff, office space, and other resources for the proper administration of
10 death records, makes reasonable use of public health data derived from death
11 records, and suitably preserves and cares for official city death records.

12 **SECTION 42.** 69.04 (2) (a) of the statutes is amended to read:

13 69.04 (2) (a) The county register of deeds office shall be the place for filing vital
14 records except as provided under ~~pars. (b) and~~ par. (c).

15 **SECTION 43.** 69.04 (2) (b) of the statutes is repealed.

16 **SECTION 44.** 69.04 (2) (c) of the statutes is amended to read:

17 69.04 (2) (c) If a death occurs in a city which is a registration district approved
18 by the state registrar for registering death ~~certificates~~ records, the office of the city
19 registrar shall be the place for filing.

20 **SECTION 45.** 69.04 (3) (a) of the statutes is amended to read:

21 69.04 (3) (a) Offer all records of events occurring prior to October 1, 1907, to
22 the state historical society under s. 69.21 (2) (d) 1.

23 **SECTION 46.** 69.05 (2), (3) and (3m) of the statutes are repealed.

24 **SECTION 47.** 69.05 (4) of the statutes is amended to read:

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1 69.05 (4) Preserve, amend and certify vital records under this subchapter by
2 photographic, electronic or other means as directed by the state registrar, except that
3 a local registrar may destroy ~~birth certificates~~ vital records on file for more than 365
4 days if the state registrar determines that the local registrar has access through the
5 state registrar's computer database to the information necessary to issue certified
6 copies under s. 69.21 (1) (b) 2.

7 **SECTION 48.** 69.06 (1) of the statutes is amended to read:

8 69.06 (1) Accept for filing, electronically sign and assign a date of acceptance
9 to ~~every original certificate~~ records of birth and death which he or she has been
10 approved to register under s. 69.04 and which is are properly presented in his or her
11 office.

12 **SECTION 49.** 69.06 (2), (3) and (5) of the statutes are repealed.

13 **SECTION 50.** 69.07 (1) of the statutes is amended to read:

14 69.07 (1) Accept for filing, electronically sign and assign a date of acceptance
15 to ~~every original vital record properly~~ records presented in his or her office under this
16 chapter.

17 **SECTION 51.** 69.07 (2) of the statutes is repealed.

18 **SECTION 52.** 69.08 (1) of the statutes is amended to read:

19 69.08 (1) Is ~~on a form prepared in the method~~ prescribed or supplied for the
20 record by the state registrar.

21 **SECTION 53.** 69.08 (2) of the statutes is amended to read:

22 69.08 (2) Is prepared ~~on a typewriter with unworn black ribbon~~ in the method
23 prescribed or is printed legibly in black permanent ink applied directly to the form
24 paper.

25 **SECTION 54.** 69.08 (3) of the statutes is amended to read:

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1 69.08 (3) Supplies all items of information required ~~by the form~~ or gives a
2 reason approved by the state registrar for the omission of any item.

3 **SECTION 55.** 69.08 (5) of the statutes is amended to read:

4 69.08 (5) Contains the electronic signatures ~~which are required on the form~~
5 ~~and which are~~ or signatures written in black permanent ink applied directly to the
6 ~~form~~ paper.

7 **SECTION 56.** 69.08 (6) of the statutes is repealed.

8 **SECTION 57.** 69.08 (7) of the statutes is amended to read:

9 69.08 (7) Contains the dated electronic signature of the local registrar.

10 **SECTION 58.** 69.10 (1) (intro.) and (b) of the statutes are consolidated,
11 renumbered 69.10 (1) and amended to read:

12 69.10 (1) Until 365 days after the occurrence of an event which is the subject
13 of a vital record: ~~(b) The,~~ the state registrar or a local registrar may correct an error
14 in the record if he or she determines that the error is obviously inadvertent.

15 **SECTION 59.** 69.10 (1) (a) of the statutes is repealed.

16 **SECTION 60.** 69.11 (3) (b) 1. of the statutes is amended to read:

17 69.11 (3) (b) 1. Name, sex, date of birth, place of birth, parents' surnames and
18 marital status of parents, if the vital record is a birth certificate record and if the
19 amendment is accompanied by a statement which the filing party has submitted to
20 support the amendment.

21 **SECTION 61.** 69.11 (3) (b) 2. of the statutes is amended to read:

22 69.11 (3) (b) 2. Cause of death, if the vital record is a death certificate record
23 and if the amendment is accompanied by a statement that the person who signed the
24 medical certification has submitted to support the amendment.

25 **SECTION 62.** 69.11 (3) (c) (intro.) of the statutes is amended to read:

SENATE BILL 760**SECTION 62**

1 69.11 (3) (c) (intro.) The following, ~~on a form supplied~~ prepared in the method
2 prescribed by the state registrar, may request the state registrar to act under this
3 subsection:

4 **SECTION 63.** 69.11 (3) (e) 1. of the statutes is amended to read:

5 69.11 (3) (e) 1. If the state registrar determines that a vital record should be
6 amended under this subsection, he or she shall send a notice of the need for an
7 amendment to the filing party, the certifier of the cause of death or the county clerk
8 responsible for the vital record or to the local registrar who filed the record. If the
9 local registrar receives the notice, he or she shall obtain the correct information from
10 the filing party, certifier of the cause of death or county clerk responsible for the vital
11 record, ~~change the information on his or her copy of the vital record and send a copy~~
12 ~~of the changed record to the state registrar~~ and provide the correct information to the
13 state registrar in the manner prescribed.

14 **SECTION 64.** 69.11 (4) (b) of the statutes is amended to read:

15 69.11 (4) (b) The state registrar may amend an item on a birth ~~certificate~~ record
16 that affects information about the name, sex, date of birth, place of birth, parent's
17 name, or marital status of the mother if 365 days have elapsed since the occurrence
18 of the event that is the subject of the birth ~~certificate~~ record, if the amendment is at
19 the request of a person with a direct and tangible interest in the record and is ~~on a~~
20 ~~request form supplied~~ in the manner prescribed by the state registrar, and if the
21 amendment is accompanied by 2 items of documentary evidence from early childhood
22 that are sufficient to prove that the item to be changed is in error and by the affidavit
23 of the person requesting the amendment. A change in the marital status on the birth
24 ~~certificate~~ record may be made under this paragraph only if the marital status is
25 inconsistent with information concerning the father or husband that appears on the

SENATE BILL 760**SECTION 64**

1 birth ~~certificate~~ record. This paragraph may not be used to add to or delete from a
2 birth ~~certificate~~ record the name of a parent, to change the identity of a parent named
3 on the birth ~~certificate~~ record, or to effect a name change prohibited under s. 301.47.

4 **SECTION 65.** 69.11 (5) (a) 2. d. of the statutes is repealed.

5 **SECTION 66.** 69.11 (5) (b) of the statutes is amended to read:

6 69.11 (5) (b) If under sub. (4) (b) the state or local registrar makes an
7 amendment other than on the face of the original copy of a vital record, he or she shall
8 file an amendment form which includes an affidavit by the person requesting the
9 amendment, the information which is stricken, the information inserted and an
10 abstract of the ~~documents~~ supporting the amendment documentation.

11 **SECTION 67.** 69.12 (1) of the statutes is amended to read:

12 69.12 (1) If the state registrar cannot make an amendment to a vital record
13 under s. 69.11 and a person with a direct and tangible interest in the vital record
14 alleges that information on the vital record does not represent the actual facts in
15 effect at the time the record was filed, the person may petition the circuit court of the
16 county in which the event which is the subject of the vital record is alleged to have
17 occurred. The petition shall be accompanied by a certified copy of the original vital
18 record. If the court finds that the petitioner has established the actual facts of the
19 event in effect when the record was filed, the clerk of court shall report the court's
20 determination to the state registrar ~~on a form~~ in the manner prescribed by the state
21 registrar, along with the fee required under s. 69.22 (5) (a) 2. Upon receipt of the
22 report, the state registrar shall, if information as to the cause of death on ~~an original~~
23 ~~certificate of a death~~ record is changed or if information on a marriage ~~certificate~~
24 record concerning the identity of a parent of a party to a marriage is changed, act
25 under sub. (4), or shall change the record under s. 69.11 (5) and if the record is not

SENATE BILL 760**SECTION 67**

1 ~~enabled in the state system of vital records, send a notice of the change~~ the amended
2 record to the local registrar who shall ~~make the change in~~ replace the record filed in
3 his or her office. This subsection does not apply to a name change prohibited under
4 s. 301.47.

5 **SECTION 68.** 69.12 (2) of the statutes is amended to read:

6 69.12 (2) A court may not order amendment of the names of the parents of a
7 registrant on a birth ~~certificate~~ record on the grounds of termination of parental
8 rights or termination of custody.

9 **SECTION 69.** 69.12 (3) of the statutes is amended to read:

10 69.12 (3) The state registrar shall amend under s. 69.11 (5) an item on a birth
11 ~~certificate~~ record as directed by an order under this section.

12 **SECTION 70.** 69.12 (4) of the statutes is amended to read:

13 69.12 (4) (a) If a court's determination under sub. (1) changes information as
14 to the cause of death on ~~an original certificate of a~~ death record or changes
15 information on a marriage ~~certificate~~ record concerning the identity of a parent of a
16 party to the marriage and the court in accordance with the petition orders the
17 creation of a new ~~certificate of death or marriage certificate~~ record, the state
18 registrar shall do all of the following:

19 1. Prepare a new ~~certificate of death or a new marriage certificate~~ record,
20 whichever is applicable. On a new ~~certificate of death~~ record, the state registrar shall
21 omit the changed information, including the name of the physician, coroner or
22 medical examiner who certified the cause of death and enter any other original and
23 any new information, including the name of the judge and the date of the order, sign
24 the new information, enter any notation of support in the margin of the record and
25 insert a note that the ~~certificate of death~~ record has been amended. On a new

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1 marriage ~~certificate~~ record, the state registrar shall omit the changed information
2 concerning the identity of a parent of a party to the marriage, enter the unchanged
3 information from the original ~~certificate~~ record, and enter any new information
4 included in the court order concerning the identity of a parent of a party to the
5 marriage, but shall not note that the ~~certificate~~ record is amended.

6 2. Register a new ~~certificate of death or marriage certificate~~ record created
7 under this subsection and impound the original ~~certificate of death or marriage~~
8 ~~certificate~~ record and all correspondence, affidavits, court orders, and other related
9 materials and prohibit access except by court order or except by the state registrar
10 for processing purposes.

11 3. Send a copy of any new ~~certificate of death or marriage certificate~~ record
12 registered under this subsection to the local registrar who filed the original of the
13 ~~replaced certificate of death or marriage certificate~~, if the record is not enabled in the
14 state system of vital records.

15 (b) Upon receipt of the copy under par. (a) 3., the local registrar shall destroy
16 his or her copy of the replaced ~~certificate of death or marriage certificate~~ record and
17 file the new ~~certificate of death or marriage certificate~~ record.

18 **SECTION 71.** 69.12 (5) of the statutes is amended to read:

19 69.12 (5) A change in the marital status on the ~~certificate~~ record of birth may
20 be requested under this section only if the marital status is inconsistent with father
21 or husband information appearing on the ~~certificate of birth~~ record. This section may
22 not be used to add or delete the name of a parent on the ~~certificate~~ record of birth or
23 change the identity of either parent named on the ~~certificate of birth~~ record.

24 **SECTION 72.** 69.13 (intro.) and (1) of the statutes are amended to read:

SENATE BILL 760**SECTION 72**

1 **69.13 Correction of facts misrepresented by informant for certificate**
2 **record of birth.** (intro.) The state registrar may, under an order issued by the
3 circuit court of the county in which a birth occurred, correct information about the
4 parent or the marital status of the mother on a certificate record of birth that is
5 registered in this state if all of the following conditions apply:

6 **(1)** The correction may not be accomplished under s. 69.11, 69.12, or 69.15
7 because the disputed information was misrepresented by the informant during the
8 preparation of the birth certificate record.

9 **SECTION 72.** 69.13 (2) (a) of the statutes is amended to read:

10 69.13 **(2)** (a) A petition for correction filed by a person with a direct and tangible
11 interest in the certificate of birth record.

12 **SECTION 73.** 69.13 (2) (b) 1. of the statutes is amended to read:

13 69.13 **(2)** (b) 1. A certified copy of the original certificate of birth record.

14 **SECTION 74.** 69.13 (2) (b) 4. of the statutes is amended to read:

15 69.13 **(2)** (b) 4. If relevant to the correction sought, a certified copy of a marriage
16 ~~document, a certified copy of a certificate of~~ record, divorce or annulment record, or
17 a final divorce decree that indicates that the mother was not married to the person
18 listed as her husband at any time during the pregnancy, a legal name change order,
19 or any other legal document that clarifies the disputed information.

20 **SECTION 75.** 69.13 (2) (b) 5. of the statutes is amended to read:

21 69.13 **(2)** (b) 5. A statement signed by the certificate record of birth informant
22 or the petitioner acknowledging that the disputed information was misrepresented.

23 **SECTION 76.** 69.14 (1) (a) 1. of the statutes is renumbered 69.14 (1) (a) and
24 amended to read:

SENATE BILL 760**SECTION 76**

1 69.14 (1) (a) *Filing deadline.* ~~Except as provided under subd. 2., a certificate~~
2 A record of birth for every birth that occurs in this state shall be filed within 5 days
3 after the birth with the state registrar, who shall register the birth under this
4 subchapter and ~~shall make a copy of the certificate of birth available to the~~
5 ~~registration district in which the birth occurred and the registration district in which~~
6 ~~the mother of the registrant resided at the time of the birth.~~

7 **SECTION 77.** 69.14 (1) (a) 2. and 3. of the statutes are repealed.

8 **SECTION 78.** 69.14 (1) (b) of the statutes is amended to read:

9 69.14 (1) (b) *Accuracy.* Either parent of a child who is the subject of a birth
10 ~~certificate~~ record, or, if neither parent is available, another person with knowledge
11 of the facts of the birth, shall attest to the accuracy of the personal data entered on
12 the certificate record in time to permit the filing of the certificate record within 5 days
13 after the birth.

14 **SECTION 79.** 69.14 (1) (c) (intro.) of the statutes is amended to read:

15 69.14 (1) (c) *Filing party.* (intro.) A birth ~~certificate~~ record shall be prepared
16 and filed by the following:

17 **SECTION 80.** 69.14 (1) (d), (e), (f), (g) and (h) of the statutes are amended to read:

18 69.14 (1) (d) *Place of birth.* 1. On a birth ~~certificate~~ record the place of birth
19 shall be the place where the placenta is removed except as provided under subd. 2.

20 2. If a birth occurs in a conveyance within the United States and the birth child
21 is first removed from the conveyance in this state, the birth shall be filed in this state
22 and the place where the birth child is first removed from the conveyance shall be the
23 place of birth on the ~~birth certificate~~ record. If a birth occurs on a moving conveyance
24 while in international waters or air space or in a foreign country or its air space and
25 the birth child is first removed from the conveyance in this state, a birth ~~certificate~~

SENATE BILL 760**SECTION 80**

1 record for the child shall be filed in this state and the place of birth on the birth
2 certificate record shall be the actual place of birth as determined by the filing party.

3 (e) *Father's name.* 1. If the mother of a registrant under this section was
4 married at any time from the conception to the birth of the registrant, the name of
5 the husband of the mother shall be entered on the birth certificate record as the legal
6 father of the registrant. The name of the father entered under this subdivision may
7 not be changed except by a proceeding under ch. 767.

8 2. If the mother was not married at any time from the conception to the birth
9 of a registrant under this section, no name of any alleged father of the registrant may
10 be entered as the father on the birth certificate record except as provided under s.
11 69.15 (3). If under this subdivision the name of the father of the registrant of a birth
12 certificate record is omitted from the certificate record, no other information about
13 the father may be entered on the certificate record.

14 (f) *Registrant's name.* 1. a. Except as provided under subd. 1. b., if the mother
15 of a registrant of a birth certificate record under this section is married to the father
16 of the registrant at any time from the conception to the birth of the registrant, the
17 given name and surname which the mother and father of the registrant enter for the
18 registrant on the birth certificate record shall be the given name and surname filed
19 and registered on the birth certificate record.

20 b. If the mother of a registrant of a birth certificate record under this section
21 is married to the father of the registrant at any time from the conception to the birth
22 of the registrant and the mother is separated or divorced from the father of the
23 registrant at the time of birth, the given name and surname which the parent of the
24 registrant with actual custody enters for the registrant on the birth certificate record
25 shall be the given name and surname filed and registered on the birth certificate

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1 record, except that if a court has granted legal custody of the registrant, the given
2 name and surname which the person with legal custody enters for the registrant on
3 the birth certificate record shall be the given name and surname filed and registered
4 on the birth certificate record.

5 c. If the mother of a registrant of a birth certificate record under this section
6 is not married to the father of the registrant at any time from the conception to the
7 birth of the registrant, the given name and surname which the mother of the
8 registrant enters for the registrant on the birth certificate record shall be the given
9 name and surname filed and registered on the birth certificate record, except that
10 if a court has granted legal custody of the registrant, the given name and surname
11 which the person with legal custody enters for the registrant on the birth certificate
12 record shall be the given name and surname filed and registered on the birth
13 certificate record.

14 2. If no surname has been entered for a registrant within 5 days after the
15 registrant's birth, the filing party shall file a birth certificate record for the registrant
16 without entering a surname on the birth certificate record. The state registrar and
17 any local registrar may not issue any certified copy of the birth certificate record until
18 a surname is entered under this paragraph.

19 (g) *Birth by artificial insemination.* If the registrant of a birth certificate record
20 under this section is born as a result of artificial insemination under the
21 requirements of s. 891.40, the husband of the woman shall be considered the father
22 of the registrant on the birth certificate record. If the registrant is born as a result
23 of artificial insemination which does not satisfy the requirements of s. 891.40, the
24 information about the father of the registrant shall be omitted from the registrant's
25 birth certificate record.

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1 (h) *Surrogate mother*. If the registrant of a birth ~~certificate~~ record under this
2 section is born to a surrogate mother, information about the surrogate mother shall
3 be entered on the birth ~~certificate~~ record and the information about the father shall
4 be omitted from the birth ~~certificate~~ record. If a court determines parental rights
5 over the registrant, the clerk of court shall report the court's determination to the
6 state registrar on a form prescribed by the state registrar, along with the fee required
7 under s. 69.22. Upon receipt of the report, the state registrar shall prepare and
8 register a new birth ~~certificate~~ record for the registrant under s. 69.15 (6) and send
9 ~~a copy~~ notice of the new ~~certificate~~ record to the local registrar who filed the original
10 ~~certificate~~ record. Upon receipt of the ~~copy~~ notice, the local registrar shall destroy
11 his or her copy of the replaced ~~certificate~~ record and file the new ~~certificate~~ record.

12 **SECTION 81.** 69.14 (2) (a) of the statutes is amended to read:

13 69.14 (2) (a) *Registration 6 to 365 days after birth*. If a birth ~~certificate~~ record
14 is filed 6 to 365 days after the date of birth, the filing party shall ~~use the form used~~
15 proceed in the manner prescribed for birth ~~certificates~~ records filed under sub. (1).
16 Before registering the ~~certificate~~ record, the state registrar may require additional
17 evidence in support of the facts of birth and an explanation of why the birth
18 ~~certificate~~ record was not filed under sub. (1). If a birth ~~certificate~~ record filed under
19 this subsection is signed by a person other than the person attending the birth or the
20 person managing the institution where the birth occurred or its medical records, the
21 state registrar may require a notarized statement of why the ~~certificate~~ record was
22 not filed under sub. (1).

23 **SECTION 82.** 69.14 (2) (b) 1. and 2. (intro.), 3. a., b. and d., 4. (intro.), 5., 6., 7.
24 (intro.) and 8. (intro.) and a. of the statutes are amended to read:

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1 69.14 (2) (b) 1. If more than 365 days have elapsed since the birth of a person
2 born in this state and a ~~certificate~~ record of the birth has not been filed in this state,
3 such person or the parent or guardian of the person, if the person is living, may
4 request that the state registrar register a birth ~~certificate~~ record for the person under
5 this paragraph.

6 2. (intro.) Any person requesting a birth ~~certificate~~ record under this paragraph
7 shall establish the following facts by evidence documented under subd. 3.:

8 3. a. As evidence of the name, date and place of birth of a registrant for whom
9 a birth ~~certificate~~ record is requested under this paragraph, the person requesting
10 the birth ~~certificate~~ record shall present at least 2 pieces of documentary evidence
11 for each item if the record is filed prior to 7 years after the date of birth or at least
12 3 pieces of documentary evidence for each item if the record is filed 7 years or more
13 after the date of birth. Only one piece of documentary evidence per item may be an
14 affidavit of personal knowledge.

15 b. As evidence of the parents of a registrant for whom a birth ~~certificate~~ record
16 is requested under this paragraph, the person requesting the birth ~~certificate~~ record
17 shall present at least one document which is not an affidavit of personal knowledge.

18 d. Any document presented under this subdivision which is not an affidavit of
19 personal knowledge shall have been established at least 10 years prior to the date
20 the birth ~~certificate~~ record is requested under this paragraph or shall have been
21 established before the registrant's 10th birthday.

22 4. (intro.) If the registrant of a ~~certificate~~ record filed under this paragraph is
23 18 years of age or over and is competent to sign and swear to the accuracy of its facts,
24 the registrant shall sign the ~~certificate~~ record and swear to the accuracy of its facts
25 before an official authorized to administer oaths. If the registrant is under 18 years

SENATE BILL 760**SECTION 82**

1 of age or is not competent to sign and swear to the accuracy of the facts of such
2 ~~certificate record~~, a person shall sign the ~~certificate record~~ and swear to the accuracy
3 of its facts as follows:

4 5. The state registrar may deny a request for a birth ~~certificate record~~ under
5 this paragraph. If the state registrar approves a request for a birth ~~certificate record~~
6 under this paragraph, he or she shall indicate plainly on the face of the ~~certificate~~
7 ~~record~~ that the ~~certificate record~~ has been registered under this paragraph and the
8 date the ~~certificate record~~ is registered and shall ~~send a copy of the certificate~~ ~~make~~
9 ~~available the record~~ to the local registrar under s. 69.03 (11). ~~The local registrar shall~~
10 ~~file the certificate.~~

11 6. If the state registrar denies a request for registration of a birth ~~certificate~~
12 ~~record~~ under this subsection, the person making the request may file a petition with
13 the circuit court of the alleged county of birth for an order establishing a record of the
14 date and place of the birth and the parentage of the person who would be the
15 registrant. If the court finds that such person was born in this state, the court shall
16 make findings as to the place and date of birth, parentage, and any other required
17 finding and shall, in the manner prescribed by the state registrar, issue an order, ~~on~~
18 ~~a form prescribed and furnished by the state registrar~~, to register a birth ~~certificate~~
19 ~~record~~ for the person. ~~The order~~ which shall include the birth date to be registered,
20 a description of the evidence presented, and the date of the court's action.

21 7. (intro.) On any birth ~~certificate record~~ registered under this paragraph, the
22 state registrar or his or her designated representative shall describe each document
23 submitted under subd. 3. The abstract for each document shall include:

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1 8. (intro.) On any birth ~~certificate~~ record registered under this paragraph, the
2 state registrar or his or her designated representative shall certify by his or her
3 signature that:

4 a. No other birth ~~certificate~~ record is on file for the registrant.

5 **SECTION 83.** 69.14 (3) (a) (intro.) and 6. of the statutes are amended to read:

6 69.14 (3) (a) (intro.) Any person who assumes custody of a live born infant of
7 unknown parentage shall file a birth ~~certificate~~ record for the infant within 5 days
8 after assuming custody and shall file the birth ~~certificate~~ record with the following
9 information:

10 6. The name, address and signature of the person with whom the registrant has
11 been placed for care. The information under this subdivision shall be entered in the
12 item on the birth ~~certificate~~ record where information on the attendant at birth is
13 required.

14 **SECTION 84.** 69.14 (3) (b) of the statutes is repealed.

15 **SECTION 85.** 69.14 (3) (c) of the statutes is amended to read:

16 69.14 (3) (c) If at any time after a birth ~~certificate~~ record is filed for a registrant
17 under this subsection a birth ~~certificate~~ record filed for the registrant at the time of
18 birth of the registrant is found or the registrant is adopted and the adoptive parents
19 sign a birth record giving their names as the adoptive parents, the state registrar
20 shall impound the birth ~~certificate~~ record filed under this subsection and prohibit
21 access except by court order or except by the state registrar for processing purposes.

22 **SECTION 86.** 69.145 (title), (1) (a), (b) and (c), (2) (a), (b) and (c), (3) and (4) (a)
23 and (b) (intro.), 1. and 2. of the statutes are amended to read:

SENATE BILL 760**SECTION 86**

1 **69.145** (title) **Certificate Record of birth resulting in stillbirth.** (1) (a)

2 That they may request preparation of a certificate record of birth resulting in
3 stillbirth.

4 (b) That preparation of the certificate record is optional.

5 (c) How to obtain a certified copy of the certificate record if one is requested and
6 prepared.

7 **(2)** (a) If the parent or parents of the stillbirth, after being advised as provided
8 in sub. (1), wish to have a certificate record of birth resulting in stillbirth prepared,
9 the party responsible for filing the fetal death report under s. 69.18 (1) (e) 1. shall,
10 within 5 days after delivery of the stillbirth, prepare and file the certificate record
11 with the state registrar.

12 (b) If the parent or parents of the stillbirth do not wish to provide a name for
13 the stillbirth, the person who prepares the certificate record of birth resulting in
14 stillbirth shall leave blank any reference to the name of the stillbirth.

15 (c) Either parent of the stillbirth or, if neither parent is available, another
16 person with knowledge of the facts of the stillbirth shall attest to the accuracy of the
17 personal data entered on the certificate record in time to permit the filing of the
18 certificate record within 5 days after delivery.

19 **(3)** SPECIAL PREPARATION UNDER CERTAIN CIRCUMSTANCES. Notwithstanding subs.
20 (1) and (2), if a birth that occurred in this state at any time resulted in a stillbirth
21 for which a fetal death report was required under s. 69.18 (1) (e) 1. but a certificate
22 record of birth resulting in stillbirth was not prepared under sub. (2), a parent of the
23 stillbirth may, on or after August 1, 2004, submit to the state registrar a written
24 request for preparation of a certificate record of birth resulting in stillbirth and
25 evidence of the facts of the stillbirth that is satisfactory to the state registrar. The

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1 state registrar shall prepare and file the certificate record of birth resulting in
2 stillbirth within 30 days after receiving satisfactory evidence of the facts of the
3 stillbirth.

4 (4) (a) Prescribe the form of, and information to be included on, a certificate
5 record of birth resulting in stillbirth, which shall be as similar as possible to the form
6 of and information included on a certificate record of birth.

7 (b) (intro.) Issue a certified copy of a certificate record of birth resulting in
8 stillbirth to a parent of the stillbirth that is the subject of the certificate record if all
9 of the following conditions are satisfied:

10 1. A certificate record of birth resulting in stillbirth has been prepared and filed
11 under sub. (2) or (3).

12 2. The parent requesting a certified copy of the certificate record submits the
13 request in writing.

14 **SECTION 87.** 69.15 (title), (1) (intro.) and (b), (2) (a) (intro.), 2., 5. and 6., (b), (c)
15 and (d) 1. (intro.), a., c., d. and e., 2. and 3. and (e), (3) (a) (intro.), 1., 2., 3. and 4., (b)
16 1., 3. and 4. (intro.), (c) and (d), (3m) (a) 2. and 3. and (b), (4) (a) and (b), (4m) (a) 1.
17 and (b), (5) and (6) (title), (a), (b) and (c) of the statutes are amended to read:

18 **69.15** (title) **Changes of fact on birth certificates records.** (1) BIRTH
19 CERTIFICATE RECORD INFORMATION CHANGES. (intro.) The state registrar may change
20 information on a birth certificate record registered in this state which was correct at
21 the time the birth certificate record was filed under a court or administrative order
22 issued in this state, in another state or in Canada or under the valid order of a court
23 of any federally recognized Indian tribe, band or nation if:

24 (b) A clerk of court or, for a paternity action, a clerk of court or county child
25 support agency under s. 59.53 (5), sends the state registrar a certified report of an

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1 order of a court in this state ~~on a form supplied~~ in the method prescribed by the state
2 registrar or, in the case of any other order, the state registrar receives a certified copy
3 of the order and the proper fee under s. 69.22.

4 (2) (a) (intro.) Except as provided under par. (b), if the state registrar receives
5 an order under sub. (1) which provides for an adoption, the state registrar shall
6 prepare, under sub. (6), a new ~~certificate~~ record for the subject of the adoption unless
7 the adoptive parents or the subject of the adoption requests, under s. 48.94 (1), that
8 no new ~~certificate~~ record be prepared. If the order is from a court in this state, the
9 order shall include a certified copy of the original birth ~~certificate~~ record registered
10 for the subject of the adoption. The new ~~certificate~~ record shall show:

11 2. The date and place of birth as transcribed from the original ~~certificate~~ record.

12 The date and place on the original ~~certificate~~ record may not be changed by the court.

13 5. The filing date on the original ~~certificate~~ record.

14 6. Any other information necessary to complete the new ~~certificate~~ record.

15 (b) If the state registrar receives an order under sub. (1) which provides for an
16 adoption of any person born outside of the United States by any person who is a
17 resident of this state at the time of adoption, and if the adoptive parents present proof
18 of the facts of birth to the state registrar, the state registrar shall prepare a
19 certification of birth data for the subject of the adoption. The certification shall
20 indicate the date and place of birth, the child's adoptive name, the adoptive parents'
21 names, and the sources of information of each of these facts. If the child has
22 automatically acquired U.S. citizenship under 8 USC 1431 upon a court order
23 granting an adoption after a foreign guardianship order as required under s. 48.97
24 (3), the certification shall also indicate that the child is recognized as a U.S. citizen
25 by this state and that the certification shall have the full force and effect of a birth

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1 ~~certificate~~ record issued by the state registrar. If neither of the birth parents of the
2 subject of the adoption are U.S. citizens, the new certification may include proof of
3 the naturalization of the subject of the adoption.

4 (c) If the state registrar determines that the registrant of a birth ~~certificate~~
5 record was adopted without a change in the registrant's birth ~~certificate~~ record under
6 par. (a) or (b), the state registrar shall obtain a copy of the court order which provided
7 for the adoption, if available, and shall prepare, under sub. (6), a new ~~certificate~~
8 record for the registrant.

9 (d) 1. (intro.) A court shall order the state registrar to prepare for the subject
10 of a birth ~~certificate~~ record a new birth ~~certificate~~ record based on the information
11 on the subject's original birth ~~certificate~~ record if all of the following circumstances
12 apply:

13 a. The subject of the birth ~~certificate~~ record petitions the court for a new birth
14 ~~certificate~~ record.

15 c. The subject did not have the opportunity under par. (a), at the time of the
16 adoption, to request that no new birth ~~certificate~~ record be prepared.

17 d. The subject knows the identity of each birth parent who is named on his or
18 her original birth ~~certificate~~ record.

19 e. Each birth parent who is alive and who is named on the subject's original
20 birth ~~certificate~~ record does not object to the restoration of the information on the
21 subject's original birth ~~certificate~~ record.

22 2. If the court grants an order under subd. 1., the state registrar shall prepare
23 under sub. (6) a new birth ~~certificate~~ record using all of the information contained
24 on the original birth ~~certificate~~ record, except for the adoptee's given name at birth,
25 if different.

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1 3. After preparing a new birth ~~certificate~~ record under subd. 2., the state
2 registrar shall follow the procedure under sub. (6) (b) to impound all other birth
3 ~~certificates~~ records of the subject except the subject's new birth ~~certificate~~ record.

4 (e) If the state registrar receives an order under s. 48.97 (2) (d) registering the
5 foreign adoption of a child who was adopted under the circumstances described in s.
6 48.97 (2), the state registrar shall prepare a certification of birth data for the child
7 using the form in use at the time the court submits the information under s. 48.97
8 (2) (d). The certification shall indicate the date and place of birth, the child's adoptive
9 name, the adoptive parents' names, and the sources of information of each of these
10 facts. If the child has automatically acquired U.S. citizenship under 8 USC 1431
11 upon a court order registering a foreign adoption order under s. 48.97 (2) (d), the
12 certification shall also indicate that the child is recognized as a U.S. citizen by this
13 state and that the certification shall have the full force and effect of a birth ~~certificate~~
14 record issued by the state registrar.

15 **(3)** (a) (intro.) If the state registrar receives an order under sub. (1) which
16 establishes paternity or determines that the man whose name appears on a
17 registrant's birth ~~certificate~~ record is not the father of the registrant, the state
18 registrar shall do the following, as appropriate:

19 1. Prepare under sub. (6) a new ~~certificate~~ record omitting the father's name
20 if the order determines that the man whose name appears on a registrant's birth
21 ~~certificate~~ record is not the father of the registrant and if there is no adjudicated
22 father.

23 2. Prepare under sub. (6) a new ~~certificate~~ record for the subject of a paternity
24 action changing the name of the father if the name of the adjudicated father is
25 different than the name of the man on the birth ~~certificate~~ record.

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1 3. Except as provided under subd. 4., insert the name of the adjudicated father
2 on the original birth ~~certificate~~ record if the name of the father was omitted on the
3 original ~~certificate~~ record.

4 4. If the order provides for a change in the child's given name or surname or
5 both, enter the name indicated on a new birth-~~certificate~~ record prepared under subd.
6 1. or 2. or on the original birth ~~certificate~~ record under subd. 3. except that if the
7 surname of a child under 7 years of age is changed, the state registrar shall prepare
8 a new ~~certificate~~ record under sub. (6).

9 (b) 1. Except as provided under par. (c), if the state registrar receives a
10 statement acknowledging paternity ~~on a form~~ in the manner prescribed by the state
11 registrar and signed by both of the birth parents of a child determined to be a marital
12 child under s. 767.803, a certified copy of the parents' marriage-~~certificate~~ record, and
13 the fee required under s. 69.22 (5) (b) 1., the state registrar shall insert the name of
14 the husband from the marriage ~~certificate~~ record as the father if the name of the
15 father was omitted on the original birth ~~certificate~~ record. The state registrar shall
16 include ~~on the form~~ for the acknowledgment the items in s. 767.813 (5g).

17 3. Except as provided under par. (c), if the state registrar receives a statement
18 acknowledging paternity ~~on a form~~ in the method prescribed by the state registrar
19 and signed by both parents, neither of whom was under the age of 18 years when the
20 form was signed, along with the fee under s. 69.22, the state registrar shall insert the
21 name of the father under subd. 1. The state registrar shall mark the ~~certificate~~
22 record to show that the ~~form~~ acknowledgement is on file. The ~~form~~ acknowledgement
23 shall be available to the department of children and families or a county child
24 support agency under s. 59.53 (5) pursuant to the program responsibilities under s.
25 49.22 or to any other person with a direct and tangible interest in the record. The

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1 state registrar shall include on ~~the form for~~ the acknowledgment the information in
2 s. 767.805 and the items in s. 767.813 (5g).

3 4. (intro.) If a registrant has not reached the age of 18 years and if any of the
4 following indicate, in a statement acknowledging paternity under subd. 1. or 3., that
5 the given name or surname, or both, of the registrant should be changed on the birth
6 ~~certificate~~ record, the state registrar shall enter the name indicated on the birth
7 ~~certificate~~ record without a court order:

8 (c) If the state registrar is required to enter a new surname or a new given name
9 on a birth ~~certificate~~ record under par. (b) 4. and the registrant has not reached the
10 age of 7 years, the state registrar shall make a new ~~certificate~~ record under sub. (6).

11 (d) The ~~form~~ method prescribed by the state registrar for acknowledging
12 paternity shall require that the social security number of each of the registrant's
13 parents ~~signing the form~~ be provided.

14 **(3m)** (a) 2. The person rescinding the statement files with the state registrar
15 ~~a document~~ a rescission in the method prescribed by the state registrar ~~for~~
16 ~~rescinding a statement acknowledging paternity under sub. (3) (b) 3.~~

17 3. The person rescinding the statement files ~~the document~~ a rescission in the
18 method prescribed under subd. 2. before the day on which a court or circuit court
19 commissioner makes an order in an action affecting the family involving the man
20 who signed the statement and the child who is the subject of the statement or before
21 60 days elapse after the statement was filed, whichever occurs first.

22 (b) If the state registrar, within the time required under par. (a) 3., receives a
23 ~~document~~ rescission in the method prescribed by the state registrar ~~for rescinding~~
24 ~~a statement acknowledging paternity under sub. (3) (b) 3.,~~ along with the proper fee

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1 under s. 69.22, the state registrar shall prepare under sub. (6) a new certificate
2 record omitting the father's name if it was inserted under sub. (3) (b).

3 (4) (a) If the state registrar receives an order under sub. (1) which provides for
4 a name change, the state registrar shall change the name on the original birth
5 certificate record.

6 (b) Any person with a direct and tangible interest in a birth certificate record
7 registered in this state may petition a court to change the name and sex of the
8 registrant on the certificate record due to a surgical sex-change procedure. If the
9 state registrar receives an order which provides for such a change the state registrar
10 shall change the name and sex on the original certificate record, except that if the
11 court orders the state registrar to prepare a new certificate record the state registrar
12 shall prepare a new certificate record under sub. (6). This subsection does not apply
13 to a name change prohibited under s. 301.47.

14 (4m) (a) 1. The request for the change is received to by the state registrar, in
15 writing, ~~on a form approved~~ in the manner prescribed by the state registrar.

16 (b) If the conditions under par. (a) 1. to 4. are met, the state registrar shall
17 change the registrant's name on the registrant's birth certificate record. The state
18 registrar is not required to issue a new birth certificate record under this paragraph.

19 (5) NEW CERTIFICATE RECORD FOR A PERSON WITHOUT ANY CERTIFICATE RECORD. If
20 no birth certificate record has been registered for any person who is more than 365
21 days old and who is entitled to a new certificate record under this section, and if the
22 date and place of birth of the person have not been determined by a court, the state
23 registrar shall register a birth certificate record for the individual under s. 69.14 (2)
24 (b) before preparing a new certificate record under sub. (6).

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1 (6) (title) PREPARATION OF NEW CERTIFICATES RECORDS. (a) The state registrar
2 shall prepare a new birth certificate record that ~~under this section on the form in use~~
3 ~~at the time the original certificate was filed.~~ The state registrar shall include on a
4 new certificate the date of creation of the new certificate record and shall sign it. The
5 state registrar shall ~~type on the new certificate any other legible signature on the~~
6 ~~original certificate.~~

7 (b) The state registrar shall register a new certificate record created under this
8 section and shall impound the original certificate record or the certificate record
9 registered under sub. (5) and all correspondence, affidavits, court orders and other
10 related materials and prohibit access except by court order or except by the state
11 registrar for processing purposes or except when authorized under ss. 48.432 and
12 48.433. The state registrar shall send ~~a copy~~ notice of any new certificate record
13 registered under this section to the local registrar who filed the original of ~~the~~
14 ~~replaced certificate~~ record. Upon receipt of the copy notification, the local registrar
15 shall destroy his or her copy of the replaced certificate and file the new certificate
16 original record.

17 (c) If the state registrar changes a birth certificate record on file or registered
18 under this section instead of preparing a new certificate record, the state registrar
19 shall make the change under s. 69.11 (5) and shall send ~~a notice of the change to the~~
20 ~~local registrar who filed the original of the changed certificate.~~ Upon receipt of the
21 notice, the local registrar shall change his or her copy of the changed certificate.

22 **SECTION 88.** 69.16 (2) of the statutes is amended to read:

23 69.16 (2) If a person has married in this state, at least 365 days have elapsed
24 since the marriage and no marriage document is on file, a person with a direct and
25 tangible interest in having a marriage document registered may petition the circuit

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1 court of the county in which the marriage is alleged to have occurred. If the court
2 finds that the petitioner has established the fact of the marriage required on the
3 marriage document, except for the information under s. 69.20 (2), the clerk of the
4 court shall report the court's determination to the state registrar ~~on a form~~ in the
5 manner prescribed by the state registrar, along with the fee required under s. 69.22.
6 Upon receipt of the report, the state registrar shall register the marriage document
7 and ~~send a copy of the document~~ make the record available to the local registrar
8 under s. 69.03 (11). ~~The local registrar shall file the document.~~

9 **SECTION 89.** 69.17 of the statutes is amended to read:

10 **69.17 Divorce report.** At the end of every biweekly period, the clerk of any
11 court which conducts divorce proceedings under ch. 767 shall forward to the state
12 registrar, ~~on a form supplied in the manner prescribed~~ by the state registrar, a report
13 of every divorce or annulment of marriage granted during the biweekly period. The
14 ~~form supplied by the state registrar~~ shall require that the social security numbers
15 of the parties to the divorce or annulment and the social security number of any child
16 of the parties be provided.

17 **SECTION 90.** 69.18 (1) (b) (intro.) of the statutes is amended to read:

18 69.18 (1) (b) (intro.) Any person who moves a corpse under par. (a) shall file a
19 ~~certificate of death~~ record for the corpse under this subsection ~~on a form~~ in the
20 manner prescribed by the state registrar under any one of the following
21 circumstances:

22 **SECTION 91.** 69.18 (1) (bm) (intro.) of the statutes is amended to read:

23 69.18 (1) (bm) (intro.) A person required to file a ~~certificate of death~~ record
24 under par. (b) shall obtain the information required for the ~~certificate of death~~ record
25 from the next of kin or the best qualified person or source available. The person filing

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1 the ~~certificate of death~~ record shall enter his or her signature on the ~~certificate~~ record
2 and include his or her address and the date of signing and shall present or mail the
3 ~~certificate~~ record, within 24 hours after being notified of the death, to the physician,
4 coroner or medical examiner responsible for completing and signing the medical
5 certification. Within 2 days after receipt of the medical certification, the person filing
6 the ~~certificate of death~~ record shall mail or present the ~~certificate of death~~ record in:

7 **SECTION 92.** 69.18 (1) (c) of the statutes is amended to read:

8 69.18 (1) (c) A hospital, a nursing home, as defined in s. 50.01 (3), or a hospice
9 that is the place of death of a person may prepare a ~~certificate of death~~ record for the
10 person and give the ~~certificate~~ record to the person who moves the corpse under par.
11 (a).

12 **SECTION 93.** 69.18 (1) (cm) 1. (intro.) of the statutes is amended to read:

13 69.18 (1) (cm) 1. (intro.) For purposes of preparation of the ~~certificate of death~~
14 record and in accordance with accepted medical standards, a hospice nurse in a
15 hospice that is directly involved with the care of a hospice patient who dies may
16 pronounce the date, time, and place of the patient's death if all of the following apply:

17 **SECTION 94.** 69.18 (1) (d) of the statutes is amended to read:

18 69.18 (1) (d) A hospital, nursing home, or hospice may not release a corpse to
19 any person under par. (a) unless the person presents a notice of removal ~~on a form~~
20 in the manner prescribed by the state registrar, in duplicate, to the administrator of
21 the hospital, nursing home, or hospice. The administrator shall retain one copy and
22 forward the other copy to the local registrar of the registration district in which the
23 hospital, nursing home, or hospice is located.

24 **SECTION 95.** 69.18 (1m) (intro.) of the statutes is amended to read:

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1 69.18 (1m) ~~FORMAT.~~ (intro.) Beginning on ~~January 1, 2003~~ September 1, 2013,
2 a ~~certificate~~ record of death shall consist of the following parts:

3 **SECTION 96.** 69.18 (1m) (a) 3. of the statutes is repealed.

4 **SECTION 97.** 69.18 (1m) (a) 5. of the statutes is amended to read:

5 69.18 (1m) (a) 5. The dates of certification and filing of the ~~certificate of death~~
6 record.

7 **SECTION 98.** 69.18 (1m) (b) 2. of the statutes is amended to read:

8 69.18 (1m) (b) 2. Information on final disposition, manner, and cause of death.

9 **SECTION 99.** 69.18 (2) (a), (b), (d) 1. and 2., (e) and (f) 1. and 3. and (3) (a) of the
10 statutes are amended to read:

11 69.18 (2) (a) ~~On the form for~~ For a certificate of death record, in the manner
12 prescribed by the state registrar under sub. (1) (b), the state registrar shall provide
13 for a medical certification to be completed under this subsection.

14 (b) If a person under the care of a physician dies from the illness or condition
15 for which the care is given and a coroner or medical examiner does not certify the
16 cause of death under par. (d) 1., the physician shall complete and sign a medical
17 certification for the death under par. (f) and mail the medical certification within 5
18 days after the pronouncement of death or present the medical certification to the
19 person responsible for filing the death ~~certificate~~ record under sub. (1) within 6 days
20 after the pronouncement of death.

21 (d) 1. Except as provided under par. (e), if a death is the subject of a coroner's
22 or medical examiner's determination under s. 979.01 or 979.03, the coroner or
23 medical examiner or a physician supervised by a coroner or medical examiner in the
24 county where the event which caused the death occurred shall complete and sign the
25 medical certification for the death and mail the death ~~certificate~~ record within 5 days

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1 after the pronouncement of death or present the ~~certificate~~ record to the person
2 responsible for filing the death ~~certificate~~ record under sub. (1) within 6 days after
3 the pronouncement of death.

4 2. Except as provided under par. (e), if the decedent was not under the care of
5 a physician for the illness or condition from which the person died, the coroner or
6 medical examiner, or a physician supervised by a coroner or medical examiner, in the
7 county of the place of death shall complete and sign the medical certification for the
8 death and mail the death ~~certificate~~ record within 5 days after the pronouncement
9 of death or present the ~~certificate~~ record to the person responsible for filing the death
10 ~~certificate~~ record under sub. (1) within 6 days after the pronouncement of death.

11 (e) Unless the person is a physician supervised by a coroner or medical
12 examiner, no person may act under par. (d) if the subject of the death ~~certificate~~
13 record was his or her patient or a patient in a hospital, or nursing home, as defined
14 in s. 50.01 (3), in which he or she has direct care of any patient.

15 (f) 1. A person signing a medical certification under par. (b), (c) or (d) shall
16 describe, in detail, ~~on a form~~ in the manner prescribed by the state registrar, the
17 cause of death, show the duration of each cause, the sequence of each cause if the
18 cause of death was multiple and, if the cause was disease, the evolution of the
19 disease. The person shall describe a disease in medical terms and may not limit the
20 description to symptoms or conditions resulting from disease. If the cause of a death
21 is medically certified under par. (d), the coroner or medical examiner shall describe
22 any violence related to the cause of death, its effect on the decedent and whether it
23 was accidental, suicidal, homicidal or undetermined.

24 3. A person signing a medical certification under par. (b), (c) or (d) shall note
25 on the ~~certificate~~ record if the cause of death of the subject of the ~~certificate~~ record

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1 is unknown, undetermined or if the determination of the cause of death is pending
2 and shall submit to the state registrar within 30 days after the pronouncement of
3 death an amendment to the medical certification which satisfies the requirements
4 of subd. 1., except that such amendment may exclude information which is
5 unavailable pending the determination of an inquest under s. 979.04.

6 (3) (a) Except as provided under par. (c) or (e), the person who has moved a
7 corpse under sub. (1) (a) shall complete a report for final disposition, ~~on a form~~
8 supplied in the manner prescribed by the state registrar, and, within 24 hours after
9 being notified of the death, mail or present a copy of the report to the coroner or
10 medical examiner in the county of the place of death and mail or present a copy to
11 the local registrar in the registration district of the place of death. If the cause of
12 death is subject to an investigation under s. 979.01 or 979.03, the report for final
13 disposition shall be submitted to the coroner or medical examiner in the county in
14 which the event which caused the death occurred.

15 **SECTION 100.** 69.19 of the statutes is amended to read:

16 **69.19 Court-ordered certificates of death records.** If a person has died
17 in this state and final disposition of the person's corpse has been effected but no
18 ~~certificate of death record~~ is on file one year after a death, a person with a direct and
19 tangible interest in having a ~~certificate of death record~~ registered may petition the
20 circuit court of the county in which the death is alleged to have occurred. If the court
21 finds that the petitioner has established the facts of the death required on the
22 ~~certificate of death record~~, the clerk of the court shall report the court's
23 determination to the state registrar ~~on a form~~ in the manner prescribed by the state
24 registrar, along with the fee required under s. 69.22. Upon receipt of the report, the

SENATE BILL 760**SECTION 100**

1 state registrar shall register the death ~~certificate and send a copy to the local~~
2 registrar under s. 69.03 (11). ~~The local registrar shall file the copy~~ record.

3 **SECTION 101.** 69.20 (2) (a) (intro.) and 2. and (c), (3) (b) 4., (c) and (e) (intro.),
4 1. a. and b. and 2. and (4) of the statutes are amended to read:

5 69.20 **(2)** (a) (intro.) Except as provided under sub. (3), information in the part
6 of a ~~certificate~~ record of birth, divorce or annulment, ~~or~~ termination of domestic
7 partnership, ~~a~~ marriage document, or a declaration of domestic partnership that is
8 designated on the ~~form~~ record as being collected for statistical or medical and
9 statistical use only and information in the part of a death ~~certificate~~ record that is
10 designated on the ~~form~~ record as being collected as statistical-use-only information
11 under s. 69.18 (1m) (c) may not be disclosed to any person except the following:

12 2. For a ~~certificate of death~~ record, any of the persons specified under s. 69.18
13 (4) (a) 1g. to 6. or an individual who is authorized in writing by one of the persons.

14 (c) Except as provided under sub. (3), until 50 years after a decedent's date of
15 death, the state registrar and a local registrar may not permit inspection of or
16 disclose information contained in the portion under s. 69.18 (1m) (b) 2. and 3. of the
17 ~~certificate of death~~ record to anyone except to a person specified under sub. (1), or to
18 a direct descendent of the decedent.

19 **(3)** (b) 4. The information is from a birth ~~certificate~~ record which indicates that
20 the registrant has a congenital disability and is submitted to the department of
21 public instruction.

22 (c) Notwithstanding sub. (2), a local registrar may disclose information on a
23 birth ~~certificate~~ record or issue a copy of the ~~certificate~~ record to a local health
24 department, as defined in s. 250.01 (4), for health or demographic research or a public
25 health program if the local health department pays the copying costs and if the birth

SENATE BILL 760**SECTION 101**

1 of the registrant occurred within the boundaries of the political subdivision served
2 by the local health department or the registrant is a resident of the political
3 subdivision. The local health department may not disclose any information from any
4 copy which it receives under this paragraph to any person and shall destroy the copy
5 no later than one year after receipt.

6 (e) (intro.) Public use indexes of ~~certificates of birth, death, marriage, divorce,~~
7 ~~domestic partnership and, termination of domestic partnership, or annulment, or~~
8 ~~marriage documents~~ records that are filed in the system of vital ~~statistics~~ records at
9 the state or local level are accessible only by inspection at the office of the state
10 registrar or of a local registrar and may not be copied or reproduced except as follows:

11 1. a. ~~Certificate of birth~~ Birth record index information may be copied or
12 reproduced for the public only after 100 years have elapsed from the year in which
13 the birth occurred. No information in the index that has been impounded under s.
14 69.15 may be released.

15 b. Subdivision 1. a. does not apply to ~~certificate of birth~~ record indexes of events
16 that occurred before October 1, 1907.

17 2. Indexes of ~~record~~ of death, marriage, divorce, domestic partnership and,
18 termination of domestic partnership, or annulment records may be copied or
19 reproduced for the public after 24 months have elapsed from the year in which the
20 event occurred.

21 (4) Under procedures that are promulgated by rule, the state registrar and
22 every local registrar shall protect vital records from mutilation, alteration, theft, or
23 fraudulent use and shall protect the privacy rights of registrants and their families
24 by strictly controlling direct access to any vital record ~~filed or registered in paper~~
25 ~~form~~.

SENATE BILL 760**SECTION 102**

1 **SECTION 102.** 69.21 (1) (a) 1. of the statutes is amended to read:

2 69.21 (1) (a) 1. Except as provided under subd. 2., the state registrar and any
3 local registrar shall issue a certified copy of a vital record to any person if the person
4 submits a request for a certified copy of a vital record of a specified registrant in
5 writing ~~and~~, if the vital record is enabled for statewide issuance in the state
6 registrar's electronic system ~~for~~ of vital record issuance records, to the extent
7 permitted under s. 69.21 (1) (b) 3., and if the request is accompanied by the fee
8 required under s. 69.22. If a vital record is not enabled for statewide issuance in the
9 state registrar's electronic system ~~for~~ of vital record issuance records, the registrar
10 responsible for filing or registration of the vital record may issue a certified copy
11 under this section.

12 **SECTION 103.** 69.21 (1) (a) 2. (intro.) of the statutes is amended to read:

13 69.21 (1) (a) 2. (intro.) The state registrar and any local registrar may not issue
14 any certified copy under subd. 1. of any of the following:

15 **SECTION 104.** 69.21 (1) (a) 2. b. of the statutes is amended to read:

16 69.21 (1) (a) 2. b. Any information of the part of a ~~certificate of birth, death, or~~
17 ~~divorce or~~, annulment, ~~or a~~ marriage document record, the disclosure of which is
18 limited under s. 69.20 (2) (a) and (c), unless the requester is the subject of the
19 information or, for a decedent, unless the requester is specified in s. 69.20 (2) (a) 2.

20 **SECTION 105.** 69.21 (1) (a) 2. c. of the statutes is amended to read:

21 69.21 (1) (a) 2. c. The birth ~~certificate~~ record of a person if no surname has been
22 entered on the birth ~~certificate~~ record for the person under s. 69.14 (1) (f).

23 **SECTION 106.** 69.21 (1) (b) 2. of the statutes is amended to read:

24 69.21 (1) (b) 2. Any copy of a birth ~~certificate~~ record issued under par. (a) shall
25 be in a long or short form, as specified by the person submitting the request under

SENATE BILL 760**SECTION 106**

1 par. (a). The long form shall include the name, sex, date and place of birth and
2 parent's surnames of the registrant, the file date and the file number. The short form
3 may not include any information about the parents of the registrant. The state
4 registrar shall issue the short form for any registrant born of unmarried parents if
5 the registrant's certificate record was not prepared under s. 69.15 (3) (b), unless the
6 person requesting the copy requests the long form.

7 **SECTION 107.** 69.21 (1) (b) 3. of the statutes is amended to read:

8 69.21 (1) (b) 3. A local registrar may issue a copy of a record of birth, death,
9 divorce, or termination of domestic partnership certificate, a, marriage document,
10 or a declaration of domestic partnership under par. (a) through the state registrar's
11 electronic system for of vital record issuance records if it is enabled.

12 **SECTION 108.** 69.21 (1) (b) 4. of the statutes is amended to read:

13 69.21 (1) (b) 4. A copy of a death certificate record issued under par. (a) for a
14 death that occurred before ~~January 1, 2003~~ September 1, 2013, shall include the
15 name, sex, date and place of death, age or birth date, cause and manner of death, and
16 social security number, if any, of the decedent, and the file number and the file date
17 of the certificate record, except that a requester may, upon request, obtain a copy that
18 does not include the cause of death.

19 **SECTION 109.** 69.21 (1) (b) 5. of the statutes is amended to read:

20 69.21 (1) (b) 5. A copy of a death certificate record issued under par. (a) for a
21 death that occurs after ~~December 31, 2002~~ August 31, 2013, shall be on a form that
22 contains only fact-of-death information specified in s. 69.18 (1m) (a), except that a
23 requester may, upon request, obtain a form that contains extended fact-of-death
24 information specified in s. 69.18 (1m) (b).

25 **SECTION 110.** 69.21 (2) (a) of the statutes is amended to read:

SENATE BILL 760**SECTION 110**

1 69.21 (2) (a) The state registrar or local registrar shall issue an uncertified copy
2 of the vital record of one or more registrants if the subject of the vital record is an
3 event occurring after September 30, 1907. The requirements of ss. 69.15 (6) (b) and
4 69.20 (3) (b) for disclosing information under s. 69.20 (1) and (2) shall apply to
5 issuance under this paragraph of any copy of a vital record containing such
6 information. Any uncertified copy issued under this paragraph shall have on its face
7 a notice that it is uncertified.

8 **SECTION 111.** 69.21 (3) of the statutes is amended to read:

9 69.21 (3) AMENDMENTS. Any copy of a vital record issued under this section shall
10 show all amendments or changes made on the record since it was filed, the date and
11 authority of the amendment or change unless a ~~certificate~~ record was issued for the
12 registrant under s. 69.14 (1) (h) or 69.15 (2), (3) or (4) (b).

13 **SECTION 112.** 69.21 (4) (b) of the statutes is amended to read:

14 69.21 (4) (b) A person with a direct and tangible interest in a vital record
15 withheld by the state registrar under par. (a) may petition the circuit court of the
16 county in which the event which is the subject of the vital record is shown on the
17 original record to have occurred. The petition shall be accompanied by a certified
18 copy of the original vital record. In issuing the certified copy, the state registrar shall
19 mark the copy to indicate that the copy is for use by the court in making its
20 determination under this paragraph. If the court finds that the petitioner has proven
21 that the information on the vital record is valid, the clerk of court shall report the
22 court's determination to the state registrar ~~on a form~~ in the manner prescribed by
23 the state registrar, who shall issue the certified copy.

24 **SECTION 113.** 69.22 (1) (c) of the statutes is amended to read:

SENATE BILL 760**SECTION 113**

1 69.22 (1) (c) Twenty dollars for issuing an uncertified copy of a birth certificate
2 record or a certified copy of a birth certificate record, and \$3 for issuing any additional
3 certified or uncertified copy of the same birth certificate record issued at the same
4 time.

5 **SECTION 114.** 69.22 (1) (cm) of the statutes is amended to read:

6 69.22 (1) (cm) Ten dollars for issuing one certified copy of a certificate of birth
7 record resulting in stillbirth and \$3 for any additional certified copy of the same
8 certificate record issued at the same time.

9 **SECTION 115.** 69.22 (1m) of the statutes is amended to read:

10 69.22 (1m) The state registrar and any local registrar acting under this
11 subchapter shall, for each copy of a birth certificate record for which a fee under sub.
12 (1) (c) is charged that is issued during a calendar quarter, forward to the secretary
13 of administration for deposit in the appropriation accounts under s. 20.433 (1) (g) and
14 (h) \$7 by the 15th day of the first month following the end of the calendar quarter.

15 **SECTION 116.** 69.22 (1q) (c) of the statutes is amended to read:

16 69.22 (1q) (c) For any copy of a birth certificate record for which a fee of \$20
17 under sub. (1) (c) is charged, \$8.

18 **SECTION 117.** 69.22 (4) of the statutes is repealed.

19 **SECTION 118.** 69.22 (5) (a) 3. of the statutes is amended to read:

20 69.22 (5) (a) 3. Making any change in a birth certificate record under s. 69.15
21 (3).

22 **SECTION 119.** 69.22 (5) (b) 2. of the statutes is amended to read:

23 69.22 (5) (b) 2. The filing of a birth certificate record under s. 69.14 (2) (b) 5.
24 The fee under this subdivision includes the search for the birth certificate record and

SENATE BILL 760**SECTION 119**

1 the first copy of the ~~certificate~~ record except that the state registrar shall add to the
2 \$20 fee, \$5.

3 **SECTION 120.** 69.23 of the statutes is repealed.

4 **SECTION 121.** 69.24 (1) (b) of the statutes is amended to read:

5 69.24 (1) (b) Willfully and knowingly makes any false statement in a birth or
6 death ~~certificate~~ record under s. 69.09, 69.10, 69.14 or 69.18, in an application for an
7 amendment to a birth or death ~~certificate~~ record under s. 69.11 or 69.12 or in a
8 request for a certified copy of a birth ~~certificate~~ record under s. 69.21.

9 **SECTION 122.** 69.24 (1) (c) of the statutes is amended to read:

10 69.24 (1) (c) Willfully and knowingly supplies any false information with the
11 intent that the information be used in the preparation of a birth or death ~~certificate~~
12 record or the amendment of a birth or death ~~certificate~~ record.

13 **SECTION 123.** 69.24 (1) (d) of the statutes is amended to read:

14 69.24 (1) (d) Counterfeits or, without authorization, makes, alters or amends
15 any birth or death ~~certificate~~ record required by this subchapter or a certified copy
16 of such ~~certificate~~ record.

17 **SECTION 124.** 69.24 (1) (e) of the statutes is amended to read:

18 69.24 (1) (e) Mutilates or destroys an original birth or death ~~certificate~~ record
19 filed under this subchapter.

20 **SECTION 125.** 69.24 (1) (h) of the statutes is amended to read:

21 69.24 (1) (h) As a public officer or public employee, furnishes or processes a
22 birth or death ~~certificate~~ record or a certified copy of a birth or death ~~certificate~~ record
23 with the knowledge or intention that the ~~certificate~~ record or copy will be used for
24 the purpose of deception.

25 **SECTION 126.** 69.24 (2) (a) of the statutes is amended to read:

SENATE BILL 760**SECTION 126**

1 69.24 (2) (a) Willfully and knowingly commits any of the actions prohibited
2 under sub. (1) in relation to ~~a~~ records of marriage document, divorce report,
3 declaration of domestic partnership, or certificate of termination of domestic
4 partnership.

5 **SECTION 127.** 69.24 (2) (b) of the statutes is amended to read:

6 69.24 (2) (b) Willfully and knowingly refuses to provide information required
7 under this subchapter for any part of a birth certificate record which is not
8 designated as the part for statistical or medical and statistical use or for a death
9 certificate record.

10 **SECTION 128.** 100.545 (1) (h) 2. of the statutes is amended to read:

11 100.545 (1) (h) 2. A certified or official copy of a birth certificate record issued
12 by the entity authorized to issue the birth certificate record.

13 **SECTION 129.** 103.34 (3) (a) 3. of the statutes is amended to read:

14 103.34 (3) (a) 3. The names and permanent home addresses of the proprietors,
15 managing partners, managers, or principal officers of the applicant, together with
16 proof of identification of those individuals, which may be in the form of a birth
17 certificate record, a valid operator's license issued under ch. 343 or under a
18 comparable law of another state that contains a photograph of the license holder, or
19 an identification card issued under s. 343.50 or under a comparable law of another
20 state that contains a photograph of the person identified.

21 **SECTION 130.** 103.73 (1) (a) of the statutes is amended to read:

22 103.73 (1) (a) Such evidence as is required by the department showing the age
23 of the minor. The department shall promulgate rules governing the proof of age of
24 minors who apply for labor permits that shall bind all persons authorized by law to
25 issue such permits. In promulgating those rules, the department shall include a

SENATE BILL 760**SECTION 130**

1 requirement that the department and its permit officers shall accept as evidence of
2 a minor's age a duly attested birth ~~certificate~~ record, a verified baptismal certificate,
3 a valid operator's license issued under ch. 343 that contains the photograph of the
4 license holder or an identification card issued under s. 343.50. Those rules shall also
5 require the department and its permit officers to accept as evidence of a minor's age
6 a valid operator's license issued under ch. 343 that contains the photograph of the
7 license holder or an identification card issued under s. 343.50 without requiring
8 proof that the minor's birth ~~certificate~~ record or baptismal certificate cannot be
9 secured.

10 **SECTION 131.** 103.76 of the statutes, as affected by 2017 Wisconsin Act 11, is
11 amended to read:

12 **103.76 Proof of age in court.** Whenever in any proceeding in any court under
13 any of the labor laws or under ch. 102 there is any doubt of the age of a minor or as
14 to whether an individual is a minor, a permit authorizing the employment of the
15 minor issued under s. 103.70 or an age certificate issued under s. 103.75 shall be
16 conclusive evidence. In the absence of such permit or certificate, a birth ~~certificate~~
17 record, a verified baptismal certificate, a valid operator's license issued under ch. 343
18 that contains the photograph of the license holder, or an identification card issued
19 under s. 343.50 shall be produced and filed with the court. Upon proof that the birth
20 ~~certificate~~ record, baptismal certificate, operator's license or identification card
21 cannot be secured, the record of age stated in the first school enrollment of the child
22 shall be admissible as evidence of age.

23 **SECTION 132.** 214.37 (4) (k) 2. of the statutes is amended to read:

SENATE BILL 760**SECTION 132**

1 214.37 (4) (k) 2. A certified copy of the depositor's death ~~certificate~~ record. If
2 the savings bank already possesses a certified copy of the depositor's death ~~certificate~~
3 record, this subdivision does not apply.

4 **SECTION 133.** 215.26 (8) (e) 2. of the statutes is amended to read:

5 215.26 (8) (e) 2. Submits a certified copy of the saver's death ~~certificate~~ record.
6 If the association already possesses a certified copy of the saver's death ~~certificate~~
7 record, this subdivision does not apply.

8 **SECTION 134.** 343.125 (2) (a) 2. of the statutes is amended to read:

9 343.125 (2) (a) 2. A birth-~~certificate~~ record bearing an official seal or other mark
10 of authentication and issued by a state, county, or municipality within the United
11 States or by a territory or possession of the United States.

12 **SECTION 135.** 343.14 (2r) of the statutes is amended to read:

13 343.14 (2r) Notwithstanding sub. (2j), the department may, upon request,
14 provide to the department of health services any applicant information maintained
15 by the department of transportation and identified in sub. (2), including providing
16 electronic access to the information, for the sole purpose of verification by the
17 department of health services of birth ~~certificate~~ record information.

18 **SECTION 136.** 343.50 (8) (c) 2. of the statutes is amended to read:

19 343.50 (8) (c) 2. Notwithstanding par. (b) and s. 343.14 (2j), the department
20 may, upon request, provide to the department of health services any applicant
21 information maintained by the department of transportation and identified in s.
22 343.14 (2), including providing electronic access to the information, for the sole
23 purpose of verification by the department of health services of birth ~~certificate~~ record
24 information.

25 **SECTION 137.** 445.13 (1m) (a) of the statutes is amended to read:

SENATE BILL 760**SECTION 137**

1 445.13 (1m) (a) Mail or present a death ~~certificate~~ record within 10 days after
2 receipt from the person responsible for completing the medical certification under s.
3 69.18 (2).

4 **SECTION 138.** 445.13 (1m) (b) of the statutes is amended to read:

5 445.13 (1m) (b) Within any period of 180 days, mail or present 6 or more death
6 ~~certificates~~ records within the 2-day time limit under s. 69.18 (1) (bm).

7 **SECTION 139.** 711.05 (1) (b) of the statutes is amended to read:

8 711.05 (1) (b) A certified copy of the death ~~certificate~~ record of the user.

9 **SECTION 140.** 711.12 (7) (a) of the statutes is amended to read:

10 711.12 (7) (a) If the user is deceased, a certified copy of the death ~~certificate~~
11 record of the user.

12 **SECTION 141.** 765.002 (4) of the statutes is amended to read:

13 765.002 (4) In this chapter, “marriage document” is that ~~document~~ record
14 consisting of the marriage license, the marriage certificate and the confidential
15 information collected for statistical purposes only.

16 **SECTION 142.** 765.09 (3) (b) of the statutes is amended to read:

17 765.09 (3) (b) Each applicant for a marriage license shall exhibit to the clerk
18 a certified copy of a birth ~~certificate~~ record, and each applicant shall submit a copy
19 of any judgment or death ~~certificate~~ record affecting the applicant’s marital status.
20 If any applicable birth ~~certificate~~ record, death ~~certificate~~ record or judgment is
21 unobtainable, other satisfactory documentary proof of the requisite facts therein
22 may be presented in lieu of the birth ~~certificate~~ record, death ~~certificate~~ record or
23 judgment. Whenever the clerk is not satisfied with the documentary proof
24 presented, he or she shall submit the presented proof to a judge of a court of record
25 in the county of application for an opinion as to its sufficiency.

SENATE BILL 760**SECTION 143**

1 **SECTION 143.** 767.80 (6m) of the statutes is amended to read:

2 767.80 **(6m)** WHEN ACTION MUST BE COMMENCED. The attorney designated under
3 sub. (6) (a) shall commence an action under this section on behalf of the state within
4 6 months after receiving notification under s. 69.03 (15) that no father is named on
5 the birth ~~certificate~~ record of a child who is a resident of the county if paternity has
6 not been acknowledged under s. 767.805 (1) or a substantially similar law of another
7 state or adjudicated, except in situations under s. 69.14 (1) (g) and (h) and as provided
8 by the department by rule.

9 **SECTION 144.** 767.803 of the statutes is amended to read:

10 **767.803 Determination of marital children.** If the father and mother of a
11 nonmarital child enter into a lawful marriage or a marriage which appears and they
12 believe is lawful, except where the parental rights of the mother were terminated
13 before either of these circumstances, the child becomes a marital child, is entitled to
14 a change in birth ~~certificate~~ record under s. 69.15 (3) (b), and shall enjoy all of the
15 rights and privileges of a marital child as if he or she had been born during the
16 marriage of the parents. This section applies to all cases before, on, or after its
17 effective date, but no estate already vested shall be divested by this section and ss.
18 765.05 to 765.24 and 852.05. The children of all marriages declared void under the
19 law are nevertheless marital children.

20 **SECTION 145.** 767.805 (5) (b) of the statutes is amended to read:

21 767.805 **(5)** (b) If a court in a proceeding under par. (a) determines that the male
22 is not the father of the child, the court shall vacate any order entered under sub. (4)
23 with respect to the male. The court or the county child support agency under s. 59.53
24 (5) shall notify the state registrar, in the manner provided in s. 69.15 (1) (b), to remove
25 the male's name as the father of the child from the child's birth ~~certificate~~ record. No

SENATE BILL 760**SECTION 145**

1 paternity action may thereafter be brought against the male with respect to the
2 child.

3 **SECTION 146.** 767.805 (6) (c) of the statutes is amended to read:

4 767.805 (6) (c) The notice requirements under s. 69.15 (3) (b) 3. apply to this
5 section beginning with ~~forms for the acknowledgment~~ acknowledgements of
6 paternity that are prescribed by the state registrar on April 1, 1998.

7 **SECTION 147.** 767.87 (1m) (intro.) of the statutes is amended to read:

8 767.87 (1m) BIRTH RECORD REQUIRED. (intro.) If the child was born in this state,
9 the petitioner shall present a certified copy of the child's birth ~~certificate~~ record or
10 a printed copy of the record from the birth database of the state registrar to the court,
11 so that the court is aware of whether a name has been inserted on the birth ~~certificate~~
12 record as the father of the child, at the earliest possible of the following:

13 **SECTION 148.** 767.89 (2) (b) 1., 2. and 3. of the statutes are amended to read:

14 767.89 (2) (b) 1. A fee for omitting the father's name on a birth ~~certificate~~ record
15 under s. 69.15 (3) (a) 1.

16 2. A fee for changing the father's name on a birth ~~certificate~~ record under s.
17 69.15 (3) (a) 2.

18 3. A fee for inserting the father's name on a birth ~~certificate~~ record under s.
19 69.15 (3) (a) 3.

20 **SECTION 149.** 770.07 (1) (d) 2. of the statutes is amended to read:

21 770.07 (1) (d) 2. Each applicant shall exhibit to the clerk a certified copy of a
22 birth ~~certificate~~ record, and each applicant shall submit a copy of any judgment,
23 certificate of termination of domestic partnership, or death ~~certificate~~ record
24 affecting the domestic partnership status. If any applicable birth ~~certificate~~ record,
25 death ~~certificate~~ record, notice of termination of domestic partnership, or judgment

SENATE BILL 760**SECTION 149**

1 is unobtainable, other satisfactory documentary proof may be presented instead.
2 Whenever the clerk is not satisfied with the documentary proof presented, he or she
3 shall submit the proof, for an opinion as to its sufficiency, to a judge of a court of record
4 in the county of application.

5 **SECTION 150.** 770.10 of the statutes is amended to read:

6 **770.10 Completion and filing of declaration.** In order to form the legal
7 status of domestic partners, the individuals shall, within 30 days after the clerk
8 issues a declaration of domestic partnership under s. 770.07 (2), complete the
9 declaration of domestic partnership, sign the declaration, having their signatures
10 acknowledged before a notary, and submit the declaration to the register of deeds of
11 the county in which they reside. The register of deeds shall record the declaration
12 and forward the original to the state registrar of vital ~~statistics~~ records.

13 **SECTION 151.** 770.12 (3) of the statutes is amended to read:

14 770.12 (3) Upon receiving a completed, signed, and notarized notice of
15 termination of domestic partnership, the affidavit under sub. (1) (b) if required, and
16 the fee under s. 770.17, the county clerk shall issue to the domestic partner filing the
17 notice of termination a ~~certificate~~ record of termination of domestic partnership. The
18 domestic partner shall submit the ~~certificate~~ record of termination of domestic
19 partnership to the register of deeds of the county in which the declaration of domestic
20 partnership is recorded. The register of deeds shall record the ~~certificate~~ record and
21 forward the original to the state registrar of vital ~~statistics~~ records.

22 **SECTION 152.** 786.36 (2) of the statutes is amended to read:

23 786.36 (2) Except as provided in sub. (2m), the order shall be entered at length
24 upon the records of the court and a certified copy of the record shall be recorded in
25 the office of the register of deeds of the county, who shall make an entry in a book to

SENATE BILL 760**SECTION 152**

1 be kept by the register. The fee for recording a certified copy is the fee specified under
2 s. 59.43 (2) (ag). If the person whose name is changed or established was born or
3 married in this state, the clerk of the court shall send to the state registrar of vital
4 statistics records, on a form designed by the state registrar of vital statistics records,
5 an abstract of the record, duly certified, accompanied by the fee prescribed in s. 69.22,
6 which fee the clerk of court shall charge to and collect from the petitioner. The state
7 registrar of vital statistics records shall then correct the birth record, marriage
8 record or both, and direct the register of deeds and local registrar to make similar
9 corrections on their records.

10 **SECTION 153.** 786.36 (2m) (a) and (b) of the statutes are amended to read:

11 786.36 (2m) (a) Except as provided in par. (b), if the court determines that,
12 pursuant to s. 786.37 (4), publication of the petition is not required, all records
13 related to the petitioner's name change shall be confidential and are exempt from
14 disclosure under s. 19.35 (1). The court shall transmit to the register of deeds a form
15 that states the petitioner's former name and states that the new name is confidential
16 and may not be disclosed except pursuant to par. (b). The fee for recording a certified
17 copy is the fee specified under s. 59.43 (2) (ag). If the person whose name is changed
18 or established was born in this state, the clerk of the court shall send to the state
19 registrar of vital statistics, on a form designed by the state registrar of vital statistics
20 records, an abstract of the record, duly certified, accompanied by the fee prescribed
21 in s. 69.22, which fee the clerk of court shall charge to and collect from the petitioner.
22 The state registrar of vital statistics records shall then correct the birth record and,
23 upon request by the petitioner and payment by the petitioner of the fees required
24 under s. 69.22, issue to the petitioner the number of certified copies of the corrected
25 birth record requested by the petitioner.

SENATE BILL 760**SECTION 153**

1 (b) Notwithstanding ss. 69.20 and 69.21, information that is confidential under
2 this subsection may not be disclosed by the state registrar of vital statistics records,
3 the register of deeds, or a local registrar except pursuant to a court order. A court
4 may order disclosure of confidential information upon good cause shown and upon
5 determining that the safety of the petitioner is not jeopardized by disclosure.

6 **SECTION 154.** 867.045 (1) (intro.) of the statutes is amended to read:

7 867.045 (1) (intro.) Upon the death of any person having an interest as a joint
8 tenant or life tenant in any real property or in the vendor's interest in a land contract
9 or a mortgagee's interest in a mortgage, any person interested in the property may
10 obtain evidence of the termination of that interest of the decedent by providing to the
11 register of deeds of the county in which such property is located a certified copy of the
12 death certificate record for the decedent and by providing, on applications supplied
13 by the register of deeds for that purpose, the name and address of the decedent and
14 of the surviving joint tenant or remainder beneficiary, the date of the decedent's
15 death, and the applicant's interest in the property. The applicant shall provide to the
16 register of deeds the following information:

17 **SECTION 155.** 867.046 (2) (intro.) of the statutes is amended to read:

18 867.046 (2) UPON DEATH; INTEREST IN PROPERTY. (intro.) As an alternative to sub.
19 (1m), upon the death of any person having an interest in any real property, a vendor's
20 interest in a land contract, an interest in a savings or checking account, an interest
21 in a security, a mortgagee's interest in a mortgage, or an interest in property passing
22 under s. 705.10 (1), including an interest in survivorship marital property, the
23 decedent's spouse, a beneficiary of a marital property agreement, a TOD beneficiary,
24 or a beneficiary of a transfer under s. 705.10 (1) may obtain evidence of the
25 termination of that interest of the decedent and confirmation of the petitioner's

SENATE BILL 760**SECTION 155**

1 interest in the property by providing to the register of deeds of the county in which
2 the property is located the certified death ~~certificate~~ record for the decedent and, on
3 applications supplied by the register of deeds for that purpose, all of the following
4 information:

5 **SECTION 156.** 891.09 (1) of the statutes is amended to read:

6 891.09 (1) RECORDS AS EVIDENCE. The record of any marriage, birth, stillbirth,
7 fetal death or death kept in the office of any register of deeds or local health officer
8 of a local health department, as defined in s. 250.01 (4) (a) 2. or 3. or (b), or in the state
9 bureau of vital statistics records shall be received as presumptive evidence of the
10 marriage, birth, stillbirth, fetal death or death so recorded.

11 **SECTION 157.** 891.39 (3) of the statutes is amended to read:

12 891.39 (3) If any court under this section adjudges a child to be a nonmarital
13 child, the clerk of court shall report the facts to the state registrar, who shall issue
14 a new birth ~~certificate~~ record showing the correct facts as found by the court, and
15 shall dispose of the original, with the court's report attached under s. 69.15 (3). If the
16 husband is a party to the action and the court makes a finding as to whether or not
17 the husband is the father of the child, such finding shall be conclusive in all other
18 courts of this state.

19 **SECTION 158.** 891.395 of the statutes is amended to read:

20 **891.395 Presumption as to time of conception.** In any paternity
21 proceeding, in the absence of a valid birth ~~certificate~~ record indicating the birth
22 weight, the mother shall be competent to testify as to the birth weight of the child
23 whose paternity is at issue, and where the child whose paternity is at issue weighed
24 5 1/2 pounds or more at the time of its birth, the testimony of the mother as to the
25 weight shall be presumptive evidence that the child was a full term child, unless

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1 competent evidence to the contrary is presented to the court. The conception of the
2 child shall be presumed to have occurred within a span of time extending from 240
3 days to 300 days before the date of its birth, unless competent evidence to the
4 contrary is presented to the court.

5 **SECTION 159.** 895.4803 of the statutes is amended to read:

6 **895.4803 Civil liability exemption; information concerning paternity.**

7 Any member of the staff of a hospital who is designated by the hospital and trained
8 by the department of children and families under s. 69.14 (1) (cm) and who in good
9 faith provides to a child's available parents written information that is provided by
10 the department of children and families and oral information or an audio or video
11 presentation about the ~~form that is~~ statements acknowledging paternity as
12 prescribed by the state registrar under s. 69.15 (3) (b) 3. and about the significance
13 and benefits of, and alternatives to, establishing paternity, under the requirements
14 of s. 69.14 (1) (cm), is immune from civil liability for his or her acts or omissions in
15 providing that oral information or audio or video presentation and written
16 information.

17 **SECTION 160.** 938.385 (2) of the statutes is amended to read:

18 938.385 (2) IDENTIFICATION DOCUMENTS AND OTHER INFORMATION. Except as
19 provided in this subsection, ensure that the juvenile is in possession of a certified
20 copy of the juvenile's birth ~~certificate~~ record, a social security card issued by the
21 federal social security administration, information on maintaining health care
22 coverage, a copy of the juvenile's health care records, and either an operator's license
23 issued under ch. 343 or an identification card issued under s. 343.50. If the juvenile
24 is not in possession of any of those documents or that information, the agency shall
25 assist the juvenile in obtaining any missing document or information. This

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1 subsection does not apply to a juvenile who has been placed in out-of-home care for
2 less than 6 months.

3 **SECTION 161.** 948.11 (2) (c) of the statutes is amended to read:

4 948.11 (2) (c) It is an affirmative defense to a prosecution for a violation of pars.
5 (a) 2., (am) 2., and (b) 2. if the defendant had reasonable cause to believe that the child
6 had attained the age of 18 years, and the child exhibited to the defendant a draft card,
7 driver's license, birth ~~certificate~~ record or other official or apparently official
8 document purporting to establish that the child had attained the age of 18 years. A
9 defendant who raises this affirmative defense has the burden of proving this defense
10 by a preponderance of the evidence.

11 **SECTION 162.** 979.01 (1) (h) of the statutes is amended to read:

12 979.01 (1) (h) When a physician refuses to sign the death ~~certificate~~ record.

13 (END)