

2003 SENATE BILL 399

AN ACT *to create* 69.145 and 69.22 (1) (cm) of the statutes; **relating to:** a certificate of birth resulting in stillbirth.

Analysis by the Legislative Reference Bureau

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

1 **SECTION 1.** 69.145 of the statutes is created to read:

2 **69.145 Certificate of birth resulting in stillbirth. (1)** INFORMATION ABOUT
3 PREPARATION. If a birth that occurs in this state on or after August 1, 2004, results
4 in a stillbirth for which a fetal death report is required under s. 69.18 (1) (e) 1., the
5 party responsible for filing the fetal death report under s. 69.18 (1) (e) 1. shall advise
6 the parent or parents of the stillbirth of all of the following:

7 (a) That they may request preparation of a certificate of birth resulting in
8 stillbirth.

SENATE BILL 399**SECTION 1**

1 (b) That preparation of the certificate is optional.

2 (c) How to obtain a certified copy of the certificate if one is requested and
3 prepared.

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

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

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

16 **(3) SPECIAL PREPARATION UNDER CERTAIN CIRCUMSTANCES.** Notwithstanding subs.
17 (1) and (2), if a birth that occurred in this state at any time resulted in a stillbirth
18 for which a fetal death report was required under s. 69.18 (1) (e) 1. but a certificate
19 of birth resulting in stillbirth was not prepared under sub. (2), a parent of the
20 stillbirth may, on or after August 1, 2004, submit to the state registrar a written
21 request for preparation of a certificate of birth resulting in stillbirth and evidence of
22 the facts of the stillbirth that is satisfactory to the state registrar. The state registrar
23 shall prepare and file the certificate of birth resulting in stillbirth within 30 days
24 after receiving satisfactory evidence of the facts of the stillbirth.

