

LRBs 0314
drafting
cont.

ASSEMBLY BILL 898

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 ^{No strike} ~~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 ^{No strike} ~~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

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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:

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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:

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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

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the first copy of the ~~certificate record~~ ^{No strike} except that the state registrar shall add to the \$20 fee, \$5.

SECTION 120. 69.23 of the statutes is repealed.

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

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

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

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

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

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

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

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

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

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

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

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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

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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:

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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:

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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.

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ASSEMBLY BILL 898**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

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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

No strike

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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 ^{No strike} ~~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

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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.

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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

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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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SECTION 160

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)