

State of Wisconsin



2003 Senate Bill 399

Date of enactment: **April 20, 2004**

Date of publication*: **May 4, 2004**

2003 WISCONSIN ACT 300

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

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

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

69.145 Certificate of birth resulting in stillbirth.

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

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

(b) That preparation of the certificate is optional.

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

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

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

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

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

(4) **GENERAL RESPONSIBILITIES OF STATE REGISTRAR.** The state registrar shall do all of the following:

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

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

* Section 991.11, WISCONSIN STATUTES 2001-02 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

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1. A certificate of birth resulting in stillbirth has been prepared and filed under sub. (2) or (3).
2. The parent requesting a certified copy of the certificate submits the request in writing.
3. The request is accompanied by the fee required under s. 69.22 (1) (cm).

SECTION 2. 69.22 (1) (cm) of the statutes is created to read:
69.22 (1) (cm) Ten dollars for issuing one certified copy of a certificate of birth resulting in stillbirth and \$3 for any additional certified copy of the same certificate issued at the same time.
