

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 361

S.P. 125

In Senate, February 5, 2009

An Act To Require a Birth Certificate for a Stillborn Child

Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator SULLIVAN of York.
Cosponsored by Representative PERRY of Calais and
Senator: CRAVEN of Androscoggin, Representatives: CAMPBELL of Newfield, CONNOR of
Kennebunk.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 22 MRSA §2770** is enacted to read:

3 **§2770. Birth certificate for stillbirth**

4 In addition to the requirements of section 2841, the State Registrar of Vital Statistics
5 shall establish a certificate of birth for a stillborn child. For purposes of this section,
6 "stillborn child" means a fetus of 20 or more weeks of gestation that dies in the uterus or
7 during labor and delivery.

8 **1. Certificate preparation and filing.** The certificate must meet all of the
9 requirements of section 2761. The certificate must be offered to the parent or parents of
10 the stillborn child, who may choose to include a name for the stillborn child on the
11 certificate. The certificate must be filed with the State Registrar of Vital Statistics or with
12 the clerk of the municipality in which the stillbirth occurred, pursuant to section 2761,
13 within 3 days following the stillbirth and prior to cremation or removal of the stillborn
14 child from the place of the stillbirth.

15 **2. Delayed registration of certificate.** If a birth certificate for a stillborn child has
16 not been registered within one year of the stillbirth, the certificate may be filed but must
17 be marked "Delayed Registration of Stillbirth" and registered in accordance with the
18 delayed registration process described in section 2764.

19 **SUMMARY**

20 This bill creates a certificate of birth for a stillborn child. It requires that the
21 certificate be prepared and filed in accordance with the requirements for certificates filed
22 to register live births and that the certificate be offered to the parents, who may choose to
23 include a name for the stillborn child on the certificate. It requires the certificate to be
24 filed within 3 days of the stillbirth and prior to cremation or removal of the stillborn child
25 from the place of the stillbirth. If a certificate has not been registered within a year of the
26 stillbirth, it still may be filed but must be marked "Delayed Registration of Stillbirth" and
27 registered in accordance with the requirements for the delayed registration of a certificate
28 for live birth.