

HB55 ENROLLED



1 KMHEU5-3
2 By Representative Givan
3 RFD: Health
4 First Read: 07-Mar-23
5 PFD: 06-Mar-23
6 2023 Regular Session



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1 Enrolled, An Act,

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4 Relating to Vital Statistics; to adopt the Genesis Act;
5 to provide a Certificate of Nonviable Birth to parents, upon
6 request, for certain nonviable births; to require the State
7 Board of Health to adopt rules regarding a Certificate of
8 Nonviable Birth.

9 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

10 Section 1. This act shall be known and may be cited as
11 the Genesis Act.

12 Section 2.

13 ~~The Alabama Department of Public Health shall issue,~~
14 ~~upon request, a Certificate of Nonviable Birth to a parent or~~
15 ~~parents of a nonviable birth occurring before 20 weeks of~~
16 ~~gestation. The department, by rule, shall establish a standard~~
17 ~~form and a process under which a parent may request a~~
18 ~~certificate. The department may require a health care~~
19 ~~professional to complete and sign a form verifying the~~
20 ~~nonviable birth as a prerequisite to issuing a certificate.~~

21 (a) (1) Following a nonviable birth occurring before 20
22 weeks of gestation, a report of fetal death shall be
23 electronically filed with the Office of Vital Statistics
24 within five days after the fetal death is known, if a report
25 is requested by the parent or parents.

26 (2) A report of fetal death filed pursuant to this act
27 shall be filed as provided in Section 22-9A-13, Code of
28 Alabama 1975.



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29 (b) The State Registrar of Vital Statistics, upon the
30 request of a parent named on a report of fetal death filed on
31 or after November 1, 2023, shall issue a Certificate of
32 Nonviable Birth within 60 days from the date of the request.

33 (c) The State Board of Health shall adopt rules to
34 implement and administer this section. In addition to any
35 other information required by the board, the Certificate of
36 Nonviable Birth shall include all of the following
37 information:

38 (1) The date of the nonviable birth.

39 (2) The county where the nonviable birth occurred.

40 (3) The name of the child of nonviable birth as
41 provided in the report of fetal death, if a name appears on
42 the report of fetal death. If a name does not appear on the
43 report of fetal death, the State Registrar, upon the request
44 of a parent listed in the report of fetal death, shall add a
45 name to the certificate when issued.

46 (4) The file number of the corresponding report of
47 fetal death.

48 (5) The following statement: "This certificate is not
49 proof of live birth."

50 (d) Parental information shall not be changed or added
51 to a Certificate of Nonviable Birth after the report is filed,
52 except for minor corrections to the name of the parent
53 recorded on a report of fetal death or upon the receipt of a
54 certified copy of an order of a court of competent
55 jurisdiction.

56 (e) The fee for the issuance of the Certificate of



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57 Nonviable Birth shall be the same as the fee collected for the
58 issuance of a certified copy of any other vital record.

59 Section 3. This act shall become effective on the first
60 day of the ~~third~~ sixth month following its passage and
61 approval by the Governor, or its otherwise becoming law.



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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and was passed by the House 18-Apr-23, as amended.

John Treadwell
Clerk

Senate **02-May-23**

Passed