

By: Senator(s) Wilemon

To: Public Health and  
Welfare

## SENATE BILL NO. 2073

1 AN ACT TO CODIFY SECTION 41-57-8, MISSISSIPPI CODE OF 1972,  
2 TO AUTHORIZE AND DIRECT THE BUREAU OF VITAL STATISTICS OF THE  
3 STATE DEPARTMENT OF HEALTH TO OFFER AND ISSUE CERTIFICATES OF  
4 BIRTH RESULTING IN STILLBIRTH TO A MOTHER AFTER THE OCCURRENCE OF  
5 ANY STILLBIRTH; TO DEFINE "STILLBIRTH" FOR PURPOSES OF THE  
6 ISSUANCE OF SUCH CERTIFICATES; TO PROVIDE THAT SUCH CERTIFICATES  
7 MAY BE ISSUED RETROACTIVELY; TO AMEND SECTION 41-57-11,  
8 MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT TO CHARGE  
9 FEES FOR THE ISSUANCE OF SUCH CERTIFICATES; AND FOR RELATED  
10 PURPOSES.

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

12 **SECTION 1.** The following provision shall be codified as

13 Section 41-57-8, Mississippi Code of 1972:

14 41-57-8. (1) For purposes of this section, the term  
15 "stillborn child" shall be defined as "an intrauterine death that  
16 occurs after the twentieth week of gestation through the moment of  
17 birth."

18 (2) The Bureau of Vital Statistics of the State Department  
19 of Health shall develop a form for the registration of a  
20 Certificate of Birth Resulting in Stillbirth for any stillborn  
21 child in Mississippi. The Certificate of Birth Resulting in  
22 Stillbirth shall be offered to a mother after the occurrence of  
23 any stillbirth. If such mother decides not to place a name on the  
24 Certificate of Birth Resulting in Stillbirth, the person preparing  
25 the certificate shall leave this option on the certificate blank.  
26 The option of registering a Certificate of Birth Resulting in  
27 Stillbirth shall be available to any parent of a stillborn child  
28 wherein the stillbirth occurred in Mississippi on or after July 1,  
29 2005, provided that the burden of applying and supplying medical  
30 verification of such stillbirth occurring prior to the effective

31 date of this act shall be with the parent(s) requesting the  
32 issuance and registration of such certificate.

33 (3) The State Board of Health shall formulate and promulgate  
34 rules and regulations for the proper reporting and registration of  
35 Certificates of Birth Resulting in Stillbirth.

36 **SECTION 2.** Section 41-57-11, Mississippi Code of 1972, is  
37 amended as follows:

38 41-57-11. (1) Each local registrar shall be paid the sum of  
39 One Dollar (\$1.00) for each birth and each death certificate and  
40 each Certificate of Birth Resulting in Stillbirth properly made  
41 out, and in the manner and on the form required by the State Board  
42 of Health. Such sum shall be paid by the board of supervisors of  
43 the county in which the births and deaths occurred, upon  
44 certification made monthly to the board of supervisors by the  
45 state registrar.

46 However, any local registrar shall receive only Fifty Cents  
47 (50¢) for each birth, each death certificate and each certificate  
48 of stillbirth sent in to the Bureau of Vital Statistics improperly  
49 completed or sent in at a later time than that fixed by the  
50 regulations of the State Board of Health.

51 (2) In addition to any fees established and collected by the  
52 State Board of Health for the issuance of original and copies of  
53 birth certificates and Certificates of Birth Resulting in  
54 Stillbirth, there shall be charged a fee of One Dollar (\$1.00) for  
55 each original and each copy of a birth certificate. This  
56 additional fee shall be deposited into the Mississippi Children's  
57 Trust Fund created by Section 93-21-305 and shall be used only as  
58 set forth in Sections 93-21-301 through 93-21-311. This  
59 additional fee shall not be added to birth certificates furnished  
60 free as provided in Sections 35-3-9 and 41-57-25.

61 **SECTION 3.** This act shall take effect and be in force from  
62 and after July 1, 2007.