§2764. Delayed birth registration

In order to provide an official record of statements concerning births which have occurred in this State, the state registrar shall accept a registration of any birth of which no record can be found in either the files of the state registrar or the clerk of the municipality where the birth occurred, provided such registration is filed in accordance with this section.

1. Certificate of live birth. A certificate of live birth on the prescribed form must be filed with the Office of Data, Research and Vital Statistics if the date of filing is more than 7 days but not more than one year after the date of birth. The state registrar may prescribe the evidence of the facts of birth to be presented in the event none of the persons specified in section 2761 are available to sign the certificate.
[PL 2011, c. 511, §7 (AMD).]

2. Delayed registration of birth. When the birth occurred more than one year prior to the date of filing, it must be registered on a form entitled "Delayed Registration of Birth." The form must provide for the following information and such other data as may be required by the department:

A. A statement by the applicant including the name and sex of the person whose birth is to be registered, the place and date of birth, the name and birthplace of the father and the maiden name and birthplace of the mother; [PL 2011, c. 511, §7 (AMD).]

B. The signature of the registrant, or a parent or guardian if the registrant is under 15 years of age or is mentally incompetent;

C. The signature of the registrant must be acknowledged before an official authorized to take oaths; [PL 2011, c. 511, §7 (AMD).]

D. A description of each document submitted in support of the delayed birth registration; and

E. The date of filing.
[PL 2011, c. 511, §7 (AMD).]

3. Description of evidence completed and filed. The state registrar shall complete the description of evidence required on the delayed registration of birth and accept and file the certificate, provided the following evidence is submitted in support of the facts of birth.

A. If the birth occurred more than one year but less than 15 years prior to the date of filing, the facts of birth stated by the applicant must be supported by at least 2 documents, only one of which may be an affidavit of personal knowledge; or [PL 2011, c. 511, §8 (AMD).]

B. If the birth occurred more than 15 years prior to the date of filing, the date and place of birth must be supported by at least 3 documents, only one of which may be an affidavit of personal knowledge, and the names of the parents must be supported by at least one document, which may be any one of the 3 submitted in evidence of the place and date of birth.

C. Any document accepted as evidence, other than the affidavit of personal knowledge, shall be at least 5 years old, or shall be a copy or abstract of a record made at least 5 years prior to the date of filing and certified as a true and correct copy by the custodian of the record.
[PL 2011, c. 511, §8 (AMD).]

4. Deficiencies. When the applicant does not submit documentation as specified in subsections 2 and 3 in support of the applicant's statements, or when the state registrar finds reason to question the adequacy of the documentation, the state registrar may not sign or accept the delayed registration of birth, but shall advise the applicant of its deficiencies and request that further documentation be submitted.
[RR 2021, c. 2, Pt. B, §138 (COR).]

5. Attested copy to municipality. After the delayed birth registration has been accepted, the state registrar shall forward an attested copy to the clerk of the municipality where the birth occurred or, in case of a birth in an unincorporated place, to the municipal clerk specified by the state registrar. [PL 2011, c. 511, §9 (AMD).]

6. Form. Any certified copy of a delayed birth registration filed under this section shall be issued on a form which indicates that it is a copy of a delayed birth registration, and shall contain a description of the documents submitted in evidence.

SECTION HISTORY

PL 2011, c. 511, §§7-9 (AMD). RR 2021, c. 2, Pt. B, §138 (COR).

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