§2761. Registration of live births

A certificate of each live birth that occurs in this State must be filed with the clerk of the municipality in which the live birth occurred or with the state registrar within a reasonable period of time as specified by department rules and must be registered if the certificate has been completed and filed in accordance with this section. [PL 2009, c. 601, §16 (AMD).]

1. Certificate from hospital. When the live birth occurs in a hospital or an institution, or en route to the hospital or institution, the person in charge of the institution or the person's authorized designee shall obtain the personal data, prepare the certificate, certify by signature or by electronic process that the child was born alive at the place and time and on the date stated and file the certificate as directed in this section. The physician or other person in attendance shall provide the medical information required by the certificate in a timely fashion, as specified by department rule.
[PL 2009, c. 601, §17 (AMD).]

2. Date of birth.
[PL 1995, c. 260, §6 (RP).]

3. Birth outside an institution. When a birth occurs outside an institution, the certificate must be prepared and filed by one of the following in the indicated order of priority:

A. The physician or other person in attendance at or immediately after the birth; [PL 1995, c. 260, §6 (AMD).]

B. The father; [PL 1995, c. 260, §6 (AMD).]

C. The mother; or [PL 1995, c. 260, §6 (AMD).]

D. The person in charge of the premises where the live birth occurred.
[PL 1995, c. 260, §6 (AMD).]

3-A. Parentage. For the purposes of birth registration, the mother is deemed to be the woman who gives birth to the child, unless otherwise determined by a court of competent jurisdiction prior to the filing of the birth certificate or unless an attested copy of a gestational carrier agreement as defined in Title 19-A, section 1832, subsection 11 is presented that provides otherwise. If the mother was married at the time of either conception or birth, or between conception and birth, the name of the spouse must be entered on the certificate as the parent of the child, unless parentage has been determined otherwise by a court of competent jurisdiction or unless an attested copy of a gestational carrier agreement is presented that provides otherwise.
[PL 2015, c. 296, Pt. C, §25 (AMD); PL 2015, c. 296, Pt. D, §1 (AFF).]

4. Child not born of marriage. Except as otherwise provided in this subsection, if the mother was not married at the time of either conception or birth, or between conception and birth, neither the name of the putative father nor any other information about the putative father may be entered on the certificate without the putative father's written consent and that of the mother. The signature of the putative father on the written consent must be acknowledged before an official authorized to take oaths. The signature of the mother on the mother's written consent must also be acknowledged before an official authorized to take oaths. If a determination of paternity has been made by a court of competent jurisdiction, then the name of the father as determined by the court must be entered on the birth certificate without the father's or the mother's consent. If the putative father executes an acknowledgement of paternity with the department and the putative father is either named in writing by the mother as the father or is presumed to be the father based on the results of blood or tissue-typing tests, the name of the father must be entered on the birth certificate without the father's or the mother's consent. All voluntary acknowledgments and adjudications of paternity in this State must be filed with the Office of Data, Research and Vital Statistics for comparison with information in the state registry of support orders as established in Title 19-A, section 2104.

[RR 2021, c. 2, Pt. B, §137 (COR).]

4-A. Information verified. Either of the parents of the child or an informant shall verify the accuracy of the personal data to be entered on the certificate.
[PL 1995, c. 260, §6 (NEW).]

5. Certificate signed by father and mother.
[PL 1995, c. 260, §6 (RP).]

6. Disclosure of social security number. In connection with the preparation and issuance of a birth certificate pursuant to this section, section 2764 or section 2765, each parent shall furnish the social security account number, or numbers if the parent has more than one number, issued to the parent unless the State Registrar of Vital Statistics, in accordance with regulations prescribed by the Secretary of the United States Department of Health and Human Services, finds good cause for not requiring the furnishing of those numbers. The state registrar shall make numbers furnished under this subsection available to the department in its capacity as the state agency administering the State's plan under the United States Social Security Act, Title IV, Part D. Except as required by federal law, those numbers may not be recorded on the birth certificate in such a manner that the numbers would appear on a certified copy of the certificate. Except as required by federal law, the department may not use any social security number, obtained with respect to the issuance of a birth certificate, for any purpose other than for the administration of the State's plan under the United States Social Security Act, Title IV, Part D. The department shall adopt rules to implement this subsection.
[PL 1993, c. 94, §1 (NEW).]

SECTION HISTORY

PL 1977, c. 188 (AMD). PL 1985, c. 683 (AMD). PL 1987, c. 187 (AMD). PL 1987, c. 266, §§1-3 (AMD). PL 1993, c. 94, §1 (AMD). PL 1993, c. 410, §V13 (AMD). PL 1995, c. 260, §6 (AMD). PL 1997, c. 537, §57 (AMD). PL 1997, c. 537, §62 (AFF). PL 2001, c. 574, §23 (AMD). PL 2009, c. 601, §§16-18 (AMD). PL 2015, c. 296, Pt. C, §25 (AMD). PL 2015, c. 296, Pt. D, §1 (AFF). RR 2021, c. 2, Pt. B, §137 (COR).

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