**South Carolina General Assembly**

124th Session, 2021-2022

**H. 3231**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Henegan, Robinson, Thigpen, Hosey, Brawley, King, McDaniel, Jefferson, Anderson, Rivers and S. Williams

Document Path: l:\council\bills\jn\3250vr21.docx

Introduced in the House on January 12, 2021

Introduced in the Senate on April 21, 2021

Currently residing in the Senate Committee on **Medical Affairs**

Summary: Birth certificates

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/9/2020 House Prefiled

12/9/2020 House Referred to Committee on **Medical, Military, Public and Municipal Affairs**

1/12/2021 House Introduced and read first time ([House Journal‑page 123](file:///h:\hj\20210112.docx))

1/12/2021 House Referred to Committee on **Medical, Military, Public and Municipal Affairs** ([House Journal‑page 123](file:///h:\hj\20210112.docx))

3/2/2021 House Member(s) request name added as sponsor: Brawley

4/15/2021 House Committee report: Favorable **Medical, Military, Public and Municipal Affairs** ([House Journal‑page 14](file:///h:\hj\20210415.docx))

4/20/2021 House Member(s) request name added as sponsor: King, McDaniel, Jefferson, Anderson, Rivers, S.Williams

4/20/2021 House Read second time ([House Journal‑page 9](file:///h:\hj\20210420.docx))

4/20/2021 House Roll call Yeas‑113 Nays‑0 ([House Journal‑page 9](file:///h:\hj\20210420.docx))

4/21/2021 House Read third time and sent to Senate ([House Journal‑page 5](file:///h:\hj\20210421.docx))

4/21/2021 Senate Introduced and read first time ([Senate Journal‑page 4](file:///h:\sj\20210421.docx))

4/21/2021 Senate Referred to Committee on **Medical Affairs** ([Senate Journal‑page 4](file:///h:\sj\20210421.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=3231&session=124&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/9/2020](file:///p:\pprever\2021-22\3231_20201209.docx)

[4/15/2021](file:///p:\pprever\2021-22\3231_20210415.docx)

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Indicates New Matter

COMMITTEE REPORT

April 15, 2021

**H. 3231**

Introduced by Reps. Henegan, Robinson, Thigpen, Hosey and Brawley

S. Printed 4/15/21--H.

Read the first time January 12, 2021.

**THE COMMITTEE ON MEDICAL,**

**MILITARY, PUBLIC AND MUNICIPAL AFFAIRS**

To whom was referred a Bill (H. 3231) to amend Section 44‑63‑90, Code of Laws of South Carolina, 1976, relating to the State Registrar’s Authority to issue a delayed birth certificate for a person, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

LEON HOWARD for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

**Explanation of Fiscal Impact**

**State Expenditure**

This bill provides an additional method by which unregistered births in this state may be documented for the purpose of obtaining a birth certificate. Currently, the state registrar of vital statistics issues regulations governing the process to document an unregistered birth and obtain a birth certificate. This bill would allow persons whose birth was not registered to use an inscribed family Bible or genealogical records to document the date of birth. In addition to the required documentation, a person is required to execute a sworn statement affirming the date of birth and must provide other corroborating documentation such as medical, financial, or governmental records reflecting the person’s date of birth. DHEC indicates they will be able to accomplish the duties enumerated in this bill with their existing appropriations and staff. Therefore, this bill will not have an expenditure impact on the agency.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

**A** **BILL**

TO AMEND SECTION 44‑63‑90, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE REGISTRAR’S AUTHORITY TO ISSUE A DELAYED BIRTH CERTIFICATE FOR A PERSON BORN IN THE STATE WHOSE BIRTH IS UNREGISTERED, SO AS TO ALLOW FOR THE USE OF AN INSCRIBED FAMILY BIBLE OR GENEALOGICAL RECORDS AS DOCUMENTATION OF DATE OF BIRTH IN CERTAIN CIRCUMSTANCES.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 44‑63‑90 of the 1976 Code is amended to read:

“Section 44‑63‑90. (A) When the birth of a person born in the State has not been registered, a certificate may be filed subject to these regulations prescribed by the state registrar of vital statistics. However, when it appears that an applicant for a certificate of birth cannot produce minimum prescribed documentation, satisfactory as to validity, to the state registrar, the applicant may be denied a certificate of birth and advised as to the reason for the denial. No delayed birth certificate may be registered for a deceased person.

(B) Notwithstanding any provision of law to the contrary, a person born in the State whose birth is unregistered may use an inscribed family Bible or genealogical records as documentation of date of birth if the person executes a sworn statement affirming the date of birth and provides other corroborating documentation, such as medical, financial, or governmental records reflecting the person’s date of birth.”

SECTION 2. This act takes effect upon approval by the Governor.

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