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HOUSE BILL 1227

**48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007**

INTRODUCED BY

Keith J. Gardner

AN ACT

RELATING TO VITAL STATISTICS; REQUIRING REGISTRATION OF  
CERTIFICATES OF STILLBIRTH FOR CERTAIN SPONTANEOUS FETAL  
DEATHS; IMPOSING A FEE; MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 24-14-22 NMSA 1978 (being Laws 1961,  
Chapter 44, Section 20, as amended) is amended to read:

"24-14-22. [~~REPORTS OF SPONTANEOUS FETAL DEATH~~]  
CERTIFICATES OF STILLBIRTH.--

A. Each spontaneous fetal death that occurs in this  
state, where the fetus has a weight of five hundred grams or  
more [~~which occurs in this state~~] or that occurs after twenty  
complete weeks of gestation shall be reported to the state  
registrar by registration of a certificate of stillbirth with  
the vital statistics bureau of the public health division of

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1 the department or as directed by the state registrar. A  
2 certificate of stillbirth shall be completed and registered  
3 within ten days following the spontaneous fetal death.

4 B. When a ~~[dead fetus is delivered]~~ spontaneous  
5 fetal death for which registration of a certificate of  
6 stillbirth is required occurs in an institution, the person in  
7 charge of the institution or ~~[his]~~ the designated  
8 representative of that person shall prepare and ~~[file]~~ register  
9 the ~~[report]~~ certificate of stillbirth.

10 C. When ~~[the]~~ a spontaneous fetal death for which  
11 registration of a certificate of stillbirth is required occurs  
12 on a moving conveyance and the fetus is first removed from the  
13 conveyance in this state ~~[or when a dead fetus is found in this~~  
14 ~~state and the place of fetal death is unknown, the fetal death~~  
15 ~~shall be reported in this state]~~, a certificate of stillbirth  
16 shall be registered with the state registrar. The place where  
17 the fetus was first removed from the conveyance ~~[or the dead~~  
18 ~~fetus was found]~~ shall be considered the place of fetal death.

19 D. When a spontaneous fetal death for which  
20 registration of a certificate of stillbirth is required occurs  
21 and the place of spontaneous fetal death is unknown, the place  
22 where the dead fetus was found shall be considered the place of  
23 spontaneous fetal death.

24 ~~[D.]~~ E. When a spontaneous fetal death ~~[required to~~  
25 ~~be reported by this section]~~ for which registration of a

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1 certificate of stillbirth is required occurs without medical  
2 attendance at or immediately after the delivery or when inquiry  
3 is required by law, the state medical investigator shall  
4 investigate the cause of fetal death and shall prepare and file  
5 [~~the report~~] a certificate of stillbirth.

6 [E.] F. The names of the parents, if known, shall  
7 be entered on the [~~spontaneous fetal death report~~] certificate  
8 of stillbirth in accordance with the provisions of Section  
9 24-14-13 NMSA 1978.

10 [~~F. Except as otherwise provided in this section,~~  
11 ~~all spontaneous fetal death reports shall be completed and~~  
12 ~~filed with the state registrar within ten days following the~~  
13 ~~spontaneous fetal death.~~]"

14 Section 2. Section 24-14-29 NMSA 1978 (being Laws 1961,  
15 Chapter 44, Section 27, as amended) is amended to read:

16 "24-14-29. FEES FOR COPIES AND SEARCHES.--

17 A. The fee for each search of a vital record to  
18 produce a certified copy of a birth certificate shall be ten  
19 dollars (\$10.00) and shall include one certified copy of the  
20 record, if available.

21 B. The fee for the establishment of a delayed record  
22 or for the revision or amendment of a vital record, as a result  
23 of an adoption, a legitimation, a correction or other court-  
24 ordered change to a vital record, shall be ten dollars  
25 (\$10.00). The fee shall include one certified copy of the

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1 delayed record.

2 C. The fee for each search of a vital record to  
3 produce a certified copy of a certificate of stillbirth shall  
4 be five dollars (\$5.00) and shall include one certified copy of  
5 the record, if available.

6 [~~C.~~] D. The fee for each search of a vital record to  
7 produce a certified copy of a death certificate shall be five  
8 dollars (\$5.00) and shall include one certified copy of the  
9 record, if available.

10 [~~D.~~] E. Revenue from the fees imposed in this section  
11 shall be distributed as follows:

12 (1) an amount equal to three-fifths of the  
13 revenue from the fee imposed by Subsection A of this section,  
14 an amount equal to one-half of the revenue from the fee imposed  
15 by Subsection B of this section and an amount equal to one-  
16 fifth of the revenue from the fee imposed by Subsection [~~C.~~] D  
17 of this section shall be distributed to the day-care fund; and

18 (2) the remainder of the revenue from the fees  
19 imposed by Subsections A, B [~~and~~], C and D of this section  
20 shall be deposited in the state general fund."