

1 S.28

2 Introduced by Senators Baruth, Pollina, and White

3 Referred to Committee on

4 Date:

5 Subject: Health; birth records; gender-neutral nomenclature

6 Statement of purpose: This bill proposes to require the use of gender-neutral
7 nomenclature for the identification of parents on a birth certificate.

8 An act relating to gender-neutral nomenclature for the identification of
9 parents on birth certificates

10 It is hereby enacted by the General Assembly of the State of Vermont:

11 Sec. 1. 18 V.S.A. § 5071 is amended to read:

12 § 5071. BIRTH CERTIFICATES; WHO TO MAKE; RETURN

13 (a) ~~Unless a physician or midwife is present, the head of the family in~~
14 ~~which a birth occurs, within 10 days thereafter, shall fill out and file with the~~
15 ~~town clerk a certificate of birth in the form prescribed by the department.~~
16 ~~Otherwise the certificate shall be filed by the attendant physician or midwife~~
17 Within five days of each live birth which occurs in this state, the attending
18 physician or midwife or, if no attending physician or midwife is present, a
19 parent of the child shall file with the town clerk a certificate of birth in the

1 form prescribed by the Department. The certificate shall be registered if it has
2 been completed properly and filed in accordance with this chapter.

3 (b)(1) At the time of the birth of a child, each parent shall furnish the
4 following information on a form provided for that purpose by the ~~department~~
5 ~~of health~~ Department of Health: the parent's name, address, and ~~social~~
6 ~~security~~ Social Security number and the name and date of birth of the child.
7 The forms and a copy of the birth certificate shall be filed with the ~~department~~
8 ~~of health~~ not later than Department of Health on or before 10 days after the
9 birth of the child.

10 (2) The form provided to parents of a child by the Department of Health
11 under subdivision (1) of this subsection shall provide the option for a parent or
12 parents to be identified with gender-neutral nomenclature.

13 (c)(1) Whoever assumes the custody of a live-born infant of unknown
14 parentage shall complete a certificate of birth as follows:

15 (1)(A) ~~Name~~ name of the child as given by the custodian, and sex;

16 (2)(B) ~~Approximate~~ approximate date of birth as determined in
17 consultation with a physician;

18 (3)(C) ~~Place~~ place of birth as place where the child is found;

19 (4)(D) ~~In~~ in place of certifier, the custodian shall sign and indicate
20 "custodian" rather than "attendant," with date and address;

1 ~~(5)(E)~~ Parentage parentage data and other child's data items shall be left
2 blank.

3 (2) If the child is identified and a certificate of birth is found or
4 obtained, the certificate created under this section and copies thereof shall be
5 sealed and deposited with the ~~commissioner of health~~ Commissioner of Health,
6 to be opened upon court order only.

7 (d) The name of ~~the father~~ a parent other than the birth mother shall be
8 included on the birth certificate of the child of unmarried parents only if the
9 ~~father and mother~~ and the other parent have signed a voluntary
10 acknowledgment of parentage or a court or administrative agency of competent
11 jurisdiction has issued an adjudication of parentage.

12 (e) When a birth certificate is issued, a parent or parents shall be identified
13 as indicated on the form completed under subsection (b) of this section.

14 Sec. 2. EFFECTIVE DATE

15 This act shall take effect on July 1, 2013.