

Senate Engrossed

FILED
MICHELE REAGAN
SECRETARY OF STATE

State of Arizona
Senate
Fifty-second Legislature
First Regular Session
2015

CHAPTER 197

SENATE BILL 1393

AN ACT

AMENDING SECTION 36-333.02, ARIZONA REVISED STATUTES; RELATING TO DELAYED
BIRTH CERTIFICATE REGISTRATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 36-333.02, Arizona Revised Statutes, is amended to
3 read:

4 36-333.02. Delayed birth certificate registration

5 A. If a birth certificate of a person who is born in this state is not
6 registered within one year after the date of birth, a person authorized by
7 this chapter may submit to the state registrar information and evidentiary
8 documents that support the creation and registration of a delayed birth
9 certificate.

10 B. The state registrar may waive the information and evidentiary
11 document requirements in subsection A of this section for a birth that
12 occurred before 1970.

13 C. The state registrar shall create a delayed birth certificate that
14 includes a listing of the information and evidentiary documents submitted
15 pursuant to subsection A of this section.

16 D. The state registrar shall register a delayed birth certificate if
17 the information and evidentiary documents are accurate and complete, support
18 the creation and registration of the delayed birth certificate and are
19 submitted pursuant to this chapter and rules adopted pursuant to this
20 chapter.

21 E. If the state registrar determines that the information and
22 evidentiary documents are not accurate and complete or do not support the
23 creation and registration of the delayed birth certificate, the state
24 registrar shall not create and register the delayed birth certificate, shall
25 notify the person requesting a delayed birth certificate of the reasons for
26 not creating and registering the delayed birth certificate and shall advise
27 the person requesting a delayed birth certificate of that person's right to
28 petition for a court order pursuant to section 36-333.03.

29 F. THE STATE REGISTRAR SHALL ESTABLISH DOCUMENTATION REQUIREMENTS FOR
30 NATIVE AMERICANS WHO WERE BORN BEFORE 1970 AND WHO ARE REQUESTING DELAYED
31 BIRTH CERTIFICATES. IF A REQUESTING PARTY PRESENTS DOCUMENTS THAT DO NOT
32 MEET THE DOCUMENTATION REQUIREMENTS ESTABLISHED BY THE STATE REGISTRAR, THE
33 DIRECTOR SHALL REVIEW THE DOCUMENTS SUBMITTED AND DETERMINE WHETHER TO CREATE
34 AND REGISTER A DELAYED BIRTH CERTIFICATE.

35 Sec. 2. Department of health services; rules; exemption

36 For the purposes of implementing this act and to facilitate the use of
37 electronic records and administrative efficiency within vital records, the
38 department of health services is exempt from the rulemaking requirements of
39 title 41, chapter 6, Arizona Revised Statutes, for one year after the
40 effective date of this act. The department shall provide public notice and
41 an opportunity for public comment on any proposed rules at least thirty days
42 before the rule is adopted or amended.

~~APPROVED BY THE GOVERNOR APRIL 6, 2015.~~

~~FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 7, 2015.~~

Passed the House April 2, 2015,

by the following vote: 59 Ayes,

0 Nays, 1 Not Voting

[Signature]
Speaker of the House

[Signature]
Chief Clerk of the House

Passed the Senate March 4, 2015,

by the following vote: 30 Ayes,

0 Nays, 0 Not Voting

[Signature]
President of the Senate

[Signature]
Assistant Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

2nd day of April, 2015,

at 4:03 o'clock P. M.

[Signature]
Secretary to the Governor

Approved this 6th day of

April, 2015,

at 12:56 o'clock P. M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 7th day of April, 2015,

at 8:30 o'clock A. M.

[Signature]
Secretary of State

S.B. 1393