

NORTH CAROLINA GENERAL ASSEMBLY  
1969 SESSION

CHAPTER 1031  
HOUSE BILL 1060

1 AN ACT TO REVISE THE VITAL STATISTICS LAWS OF NORTH CAROLINA.

2  
3 The General Assembly of North Carolina do enact:

4  
5 **Section 1.** Article 7 of G.S. Chapter 130 is hereby rewritten to read as follows:

6 "Article 7.

7 Vital Statistics.

8 **G.S. 130-36. State Registrar.** The State Health Director shall be State Registrar of Vital  
9 Statistics and shall have general supervision over the Central Office of Vital Statistics, which is  
10 hereby established.

11 **G.S. 130-37. Duties of State Registrar.** The State Registrar shall have charge of the  
12 registration of births and deaths, shall prepare the necessary instructions, forms and blanks for  
13 obtaining and preserving such records, and shall procure the faithful registration of the same in  
14 each local registration district as constituted in the succeeding Section, and in the Central  
15 Office of Vital Statistics at the capital of the State. The State Registrar shall be charged with the  
16 uniform and thorough enforcement of the provisions of this Article throughout the State, and  
17 shall from time to time recommend to the General Assembly any additional legislation that may  
18 be necessary for this purpose. The State Registrar is authorized to make reasonable rules and  
19 regulations for the administration of this Article.

20 **G.S. 130-38. Registration Districts.** For the purposes of this Article, the State shall be divided  
21 into local registration districts as follows: Each county, and each area served by a local health  
22 department, or any combination of the above governmental units, as designated by the State  
23 Registrar.

24 **G.S. 130-39. Control of State Registrar over local districts.** The State Registrar shall have  
25 the authority to abolish or consolidate existing registration districts, and/or create new districts  
26 when economy and efficiency and the interests of the public service may be promoted thereby.

27 **G.S. 130-40. Appointment and removal of local registrars.** (a) The State Registrar shall  
28 appoint a local registrar for each registration district. The State Registrar shall have the  
29 authority and power to designate and appoint the local health director or administrator as  
30 registrar for the area over which he has jurisdiction, or any fractional part or parts thereof. The  
31 fees accruing from the vital statistics registration service, where such service is performed by  
32 the local health director or administrator under such appointment, shall be used by the local  
33 health department for health services. The State Registrar shall direct, supervise, and control  
34 the activities of local registrars.

35 (b) The State Registrar may remove a local registrar for reasonable cause.

36 **G.S. 130-41. Appointment of deputy and sub-registrars.** Each local registrar shall,  
37 immediately upon his acceptance of appointment as such, appoint a deputy, whose duty it shall  
38 be to act in his stead in case of absence, illness, disability, or removal, and such deputy shall in  
39 writing accept such appointment, and be subject to all rules and regulations governing local  
40 registrars. When it may appear necessary, the local registrar is hereby authorized, with the  
41 approval of the State Registrar, to appoint one or more suitable persons to act as sub-registrars,  
42 who shall be authorized to receive certificates and to issue burial-transit permits in and for such  
43 portions of the district as may be designated; and each sub-registrar shall enter the date the

1 certificate was received by him and shall forward all certificates to the local registrar of the  
2 district within seven days, and in all cases before the third day of the following month:  
3 provided, that each sub-registrar shall be subject to the supervision and control of the State  
4 Registrar and may be by him removed for neglect or failure to perform his duties in accordance  
5 with the provisions of this Article or the rules and regulations of the State Registrar, and he  
6 shall be subject to the same penalties for neglect of duties as the local registrar.

7 **G.S. 130-42. Burial-transit permits.** (a) The funeral director or person acting as such who  
8 first assumes custody of a dead body or fetus shall obtain a burial-transit permit prior to final  
9 disposition or removal from the State of the body or fetus and within seventy-two (72) hours  
10 after death. Such burial-transit permit shall be issued by the local registrar of the district where  
11 the death or fetal death occurred. A burial-transit permit issued under the law of another state  
12 which accompanies a dead body or fetus brought into this State shall be authority for final  
13 disposition of the body or fetus in this State.

14 (b) A permit for disinterment and reinterment shall be required prior to disinterment of  
15 a dead body or fetus except as authorized by regulation or otherwise provided by law. Such  
16 permit shall be issued by the local registrar to a licensed funeral director, embalmer, or other  
17 person acting as such, upon proper application.

18 (c) The State Registrar may promulgate rules and regulations to provide for the  
19 issuance of a burial-transit permit prior to the filing of a certificate of death or fetal death in  
20 cases in which compliance with the requirement that the certificate be filed prior to the issuance  
21 of the permit would result in undue hardship.

22 **G.S. 130-43. Fetal Death Registration.** (a) A fetal death certificate for each fetal death  
23 (stillbirth) which occurs in this State after gestation period of twenty (20) completed weeks or  
24 more shall be filed with the local registrar of the district in which the delivery occurred within  
25 seventy-two (72) hours after such delivery and prior to final disposition of the fetus or removal  
26 from the State. If the place of fetal death is unknown, a fetal death certificate shall be filed in  
27 the registration district in which a dead fetus was found within seventy-two (72) hours after the  
28 occurrence. If a fetal death occurs on a moving conveyance, a fetal death certificate shall be  
29 filed in the registration district in which the fetus was first removed from such conveyance.

30 (b) The funeral director or person acting as such who first assumes custody of a fetus  
31 shall file the fetal death certificate. In the absence of such person, the physician in attendance at  
32 or after the delivery shall file the certificate. He shall obtain the personal data from the next of  
33 kin or the best qualified person or source available. He shall obtain the medical certification of  
34 cause of death and other required medical information from the person responsible therefor.  
35 The medical certification and other required medical information shall be completed and signed  
36 within seventy-two (72) hours after delivery by the physician in attendance at or after delivery  
37 except when inquiry is required by Article 21 of this Chapter. When such inquiry is required,  
38 the medical examiner shall complete and sign the medical certification within seventy-two (72)  
39 hours after taking charge of the case.

40 (c) When a fetal death is attended by a midwife, the midwife shall sign as the attendant  
41 but shall not sign the medical certificate of fetal death; such cases, and fetal deaths occurring  
42 without attendance of either physician or midwife, shall be treated as deaths without medical  
43 attendance as provided for in G.S. 130-45.

44 **G.S. 130-44. Contents of death certificate.** The certificate of death shall contain, as a  
45 minimum, those items prescribed and specified on the standard certificate of death as prepared  
46 by the national agency in charge of vital statistics except as the same may be changed or  
47 amended by the North Carolina State Registrar of Vital Statistics.

48 **G.S. 130-45. Death without medical attendance: duty of funeral directors and officials;**  
49 **approval required before cremation.** (a) In case of death without medical attendance, it shall  
50 be the duty of the funeral director or person acting as such, and any other person having  
51 knowledge of such death, to notify the local medical examiner and local registrar of such death.

No burial-transit permit shall be issued until the medical examiner has completed his investigation and certification. If there is no local medical examiner, the registrar shall refer the case to the Chief Medical Examiner for investigation and certification of death. The certificate of death, required for a burial-transit permit, shall state therein the name of deceased, the disease causing death, or, if from external causes, the means of death, whether probably accidental, suicidal, or homicidal, and such other information as may be required by the State Registrar in order to properly classify the death.

(b) No cremation of a dead body, in case of death without medical attendance, shall take place until the medical examiner has made inquiry into the cause of and manner of death and has certified in writing that the inquiry has been made and in his opinion no further examination is necessary.

**G.S. 130-46. Death Registration.** (a) A death certificate for each death which occurs in this State shall be filed with the local registrar of the district in which the death occurred within seventy-two (72) hours after such death and prior to final disposition of the body or removal from the State. If the place of death is unknown, a death certificate shall be filed in the registration district in which a dead body is found within seventy-two (72) hours after such occurrence. If death occurs in a moving conveyance, a death certificate shall be filed in the registration district in which the dead body was first removed from such conveyance.

(b) The funeral director or person acting as such who first assumes custody of a dead body shall file the death certificate. He shall obtain the personal data from the next of kin or the best qualified person or source available. He shall obtain the medical certification of cause of death from the person responsible therefor. He shall then state the facts required relative to the date and place of burial, over his signature and over the signature of the embalmer, if applicable. He shall present the completed certificate to the local registrar or his representative in order to obtain a burial-transit permit. He shall deliver the burial-transit permit to the person in charge of the place of burial before interring or otherwise disposing of the body; or shall attach the burial-transit permit to the box containing the corpse, when shipped by any transportation company.

(c) The medical certificate shall be made and signed by the physician, if any, who last treated the deceased for the disease or injury which caused death, and such physician shall specify the time in attendance, the time he last saw the deceased alive, and the hour of the day at which death occurred, and he shall further state the cause of death. Indefinite and unsatisfactory terms, denoting only symptoms of disease or conditions resulting from disease, will not be held sufficient for the issuance of a burial-transit permit; and any certificate containing any such indefinite or unsatisfactory terms, as defined by the State Registrar, shall be returned to the physician or person making the medical certificate for correction and more definite statement. In deaths in hospitals, institutions, or of nonresidents, the physician shall supply the information required above, if he is able to do so, and may state where, in his opinion, the disease was contracted.

(d) It shall be the duty of the physician or medical examiner making the medical certification as to the cause of death to complete the medical certification prior to interment but in no event more than seventy-two (72) hours after death. The said physician or medical examiner may, in appropriate cases, designate the cause of death as unknown pending an autopsy or upon some other reasonable cause for delay, but shall send the supplementary information to the local registrar as soon as it is obtained.

**G.S. 130-47. Interment without burial-transit permit forbidden.** No person in charge of any premises in which interments are made shall inter or permit the interment, disinterment, or other disposition of any body unless it is accompanied by a burial-transit permit, as herein provided. Such person shall endorse upon the burial-transit permit the date of interment, or disinterment over his signature, and shall return all burial-transit permits so endorsed to the local registrar of his district within ten (10) days from the date of disposal. He shall also keep a

record of all bodies interred or otherwise disposed of on the premises under his charge, in each case stating the name of each deceased person, place of death, date of burial or disposal, and the name and address of the funeral director; which record shall at all times be open to official inspection. When burying a body in a cemetery or burial ground having no person in charge, the funeral director, or person acting as such, shall sign the burial-transit permit, giving the date of burial, and shall write across the face of the burial-transit permit the words "No person in charge," and file the burial-transit permit within ten (10) days with the registrar of the district in which the cemetery is located.

**G.S. 130-48. Registration of divorces and annulments.** (a) For each divorce and annulment of marriage granted by any court of jurisdiction in this State, a report shall be prepared and filed by the clerk of court with the State Registrar. The information necessary to prepare the report shall be furnished to the clerk of court by the parties or their legal representatives on forms prescribed and furnished by the State Registrar. On or before the 15th day of each month, the clerk of court shall forward to the State Registrar the report of each divorce and annulment granted during the preceding calendar month. Upon request, the Office of Vital Statistics shall furnish a true copy of any such record, which may be, but is not required to be, photographic, upon the payment to the office of a fee not to exceed two dollars (\$2.00), and such true copy shall be competent evidence in any court or other proceeding in this State with like force and effect as the original. The monies received by the office pursuant to this Section shall be turned over to the State Treasurer and paid into the General Fund of the State. The Office of Vital Statistics is hereby authorized and empowered to do all things necessary to implement and carry out the provisions of this Section.

(b) In any county in which the district court is not established, the sum of one dollar (\$1.00) shall be taxed as a part of the costs in the cause in which the decree of divorce or annulment is granted and the same shall be collected by the clerk of the court as costs. With each monthly report, the clerk shall transmit to the Office of Vital Statistics one-half of these costs.

**G.S. 130-49. Registration of marriage certificates; duty of registers of deeds; forms; furnishing copies; copies as evidence.** On or before the fifteenth day of each month, the registers of deeds of the several counties of this State shall transmit to the Office of Vital Statistics, on forms prescribed and furnished by it, a record of each and every marriage ceremony performed in his county during the preceding calendar month, a record of which has been filed in his office as required by applicable law. The form prescribed by the State Registrar shall contain and set forth in substance the forms and information required by G.S. 51-16, as amended, as a minimum requirement, and shall be the official form of a marriage license, certificate of marriage, and application for marriage license, issued by the register of deeds. The form so prescribed shall contain additional information in order to conform to the minimum requirements of the national agency in charge of vital statistics. Each form signed and issued by the register of deeds, assistant register of deeds, or deputy register of deeds shall constitute an original or duplicate original. Upon request, the Office of Vital Statistics shall furnish a true copy of any such record, which may be, but is not required to be, photographic, upon the payment to the office of a fee of two dollars (\$2.00), and such true copy shall be competent evidence in any court or other proceeding in this State with like force and effect as the original. The monies received pursuant to this Section shall be paid into the General Fund of the State. The Office of Vital Statistics is authorized to do all things necessary to implement and carry out the provisions of this Section.

**G.S. 130-50. Birth Registration.** (a) A certificate of birth for each live birth, regardless of the gestation period, which occurs in this State shall be filed with the local registrar of the district in which the birth occurs within five (5) days after such birth and shall be registered by such registrar if it has been completed and filed in accordance with this Section. Such certificate shall be on the form adopted and furnished by the State Registrar. When a birth occurs on a

moving conveyance, a birth certificate shall be filed in the district in which the child was first removed from the conveyance. When a birth occurs in a hospital or other medical facility, the person in charge of the institution or his designated representative shall obtain the personal data, prepare the certificate, secure the signatures required by the certificate and file it with the local registrar. The physician in attendance shall certify to the facts of birth and provide the medical information required by the certificate within five (5) days after the birth.

(b) When a birth occurs outside a hospital or other medical facility, the certificate shall be prepared and filed by one of the following in the indicated order of priority:

(1) The physician in attendance at or immediately after the birth, or in the absence of such a person,

(2) The midwife or any other person in attendance at or immediately after the birth, or in the absence of such a person,

(3) Either parent, or, in the absence of the father and the inability of the mother, the person in charge of the premises where the birth occurred.

(c) If the mother was married either at the time of conception or birth, the name of the husband shall be entered on the certificate as the father of the child and the surname of the child shall be the same as that of the husband, unless paternity has been determined otherwise by a court of competent jurisdiction in which case the name of the father as determined by the court shall be entered and the surname of the child shall be the same as that of the mother. If the mother was not married either at the time of conception or birth, the certificate shall be completed as provided in G.S. 130-54.

**G.S. 130-51. Registration of birth certificate more than five days and less than four years after birth.** Any birth may be registered more than five (5) days and less than four (4) years after birth in the same manner as births are registered under this Article within five (5) days of birth. Such registration shall have the same force and effect as if the registration had occurred within five (5) days of birth: Provided, such registration shall not relieve any person of criminal liability for the failure to register such birth within five (5) days of birth as required by G.S. 130-50.

**G.S. 130-52. Registration of birth four years or more after birth.** (a) When the birth of a person born in this State has not been registered within four (4) years after birth, a delayed certificate may be filed with the register of deeds in the county in which the birth occurred in accordance with regulations promulgated by the State Registrar. Each such birth must be registered in duplicate on forms approved and furnished by the State Registrar. Such certificate so registered shall have the same evidentiary value as those registered within five (5) days. Certificates of birth registered four (4) years or more after the date of occurrence shall be marked "delayed" and show on their face the date of the delayed registration. A summary statement of the evidence submitted in support of the delayed registration shall be endorsed on the certificate. The register of deeds shall forward the original and duplicate certificate to the Office of Vital Statistics for final approval. If the certificate complies with the rules and regulations and has not been previously registered, the State Registrar shall file the original and return the duplicate to the register of deeds for recording.

(b) When an applicant does not submit the minimum documentation required in the regulations for delayed registration or when the State Registrar finds reason to question the validity or adequacy of the certificate or the documentary evidence, the State Registrar shall not register the delayed certificate and shall advise the applicant of the reasons for this action. In the event the deficiencies are not corrected, the registration official shall advise the applicant of his right of appeal to a court of competent jurisdiction.

**G.S. 130-53. Register of deeds may perform notarial acts.** (a) The register of deeds is hereby authorized to take acknowledgments, administer oaths and affirmations, and to perform all other notarial acts necessary for the registration or issuance of certificates relating to births,

1 deaths or marriages. The register of deeds shall be entitled to a fee as prescribed in G.S. 161-  
2 10.

3 (b) All acknowledgements taken, affirmations or oaths administered, or other notarial  
4 acts performed by the register of deeds relating to the registration of certificates of births,  
5 deaths or marriages, prior to June 16, 1959, are hereby validated and in all respects confirmed.

6 **G.S. 130-54. Contents of birth certificate.** The certificate of birth shall contain, as a  
7 minimum, those items prescribed and specified on the standard certificate of birth as prepared  
8 by the national agency in charge of vital statistics, except as the same may be amended or  
9 changed by the North Carolina State Registrar of Vital Statistics: Provided, that in case of a  
10 child born out of wedlock, the father's name shall not be shown on the certificate without his  
11 written consent under oath, and provided, further, that in case of a child born out of wedlock,  
12 the last name of the child shall be the same as that of the mother, or the person or persons  
13 caring for the child when such request is made by both the mother of the child and the person  
14 or persons caring for the child, or, if the mother of the child is deceased, or her whereabouts  
15 shall have been unknown for a period of three years, then the person or persons caring for such  
16 child may make such a request for such change. Where it has been adjudicated in a court of  
17 competent jurisdiction that a mother has abandoned her child, then the consent required of the  
18 mother by this Section shall not be necessary.

19 **G.S. 130-55. Validation of irregular registration of birth certificates.** The registration and  
20 filing with the Office of Vital Statistics of the birth certificate of any person whose birth has not  
21 been registered within five days of birth under G.S. 130-50 is hereby validated. All copies of  
22 birth certificates filed prior to April 9, 1941, properly certified by the State Registrar, shall have  
23 the same evidentiary value as if the birth had been registered within five days of such birth as  
24 provided by G.S. 130-50.

25 **G.S. 130-56. Institutions to keep records of inmates.** All superintendents or managers, or  
26 other persons in charge of hospitals, lying-in or other institutions, public or private, to which  
27 persons resort for treatment of diseases or confinement, or to which persons are committed by  
28 process of law, shall make a record of all the personal and statistical particulars relative to the  
29 inmates or patients in their institutions. Such records shall be in the form of the certificates  
30 provided for by this Article, as directed by the State Registrar. This information must be  
31 obtained at the time of the inmate's or patient's admittance or as soon thereafter as practicable,  
32 but in any event prior to the discharge of said inmate or patient. In case of persons admitted or  
33 committed for treatment of disease, the physician in charge shall specify for entry in the record  
34 the nature of the disease, and where, in his opinion, it was contracted. The personal particulars  
35 and information required by this Section shall be obtained from the individual himself if it is  
36 practicable to do so; and when they cannot be so obtained, they shall be obtained in as complete  
37 a manner as possible from relatives, friends, or other persons acquainted with the facts.

38 **G.S. 130-57. Certificate of identification in lieu of birth certificate where parentage**  
39 **cannot be established.** A certificate of identification for a foundling child whose parentage  
40 cannot be established shall be filed by the court which determines that the child is a foundling,  
41 with the local registrar of vital statistics of the district in which the child was found. This  
42 certificate of identification shall contain such information and be in such form as the State  
43 Registrar may prescribe and shall serve in lieu of a birth certificate.

44 **G.S. 130-58. Certificate of identification for child of foreign birth.** In the case of an adopted  
45 child born in a foreign country and having legal settlement in this State, the State Registrar  
46 shall, upon the presentation of a certified copy of the original birth certificate from the country  
47 of birth and a copy of the final order of adoption signed by the clerk of court or other  
48 appropriate official prepare a certificate of identification for such child. The certificate shall  
49 contain the same information as is required by G.S. 48-29(a) for children adopted in this State,  
50 except that the country of birth shall be specified in lieu of the state of birth.

**G.S. 130-59. State Registrar to supply blanks: to perfect and preserve birth and death certificates.** (a) The State Registrar shall prepare, have printed, and supply to all registrars all blanks and forms used in registering, recording, and preserving the returns, or in otherwise carrying out the purposes of this Article; and shall prepare and issue such detailed instructions as may be required to procure the uniform observance of its provisions and the maintenance of a perfect system of registration; and no other blanks shall be used than those supplied by the State Registrar. He shall carefully examine the certificate received monthly from the local registrars, and if any such are incomplete or unsatisfactory he shall require such further information to be supplied as may be necessary to make the record complete and satisfactory.

(b) All physicians, midwives, informants, or funeral directors, and all other persons having knowledge of the facts are hereby required to supply, upon a form provided by the State Registrar or upon the original certificate, such information as they may possess regarding any birth or death upon demand of the State Registrar, in person, by mail, or through the local registrar.

(c) The State Registrar shall further arrange, bind, and permanently preserve the certificates in a systematic manner, and shall prepare and maintain a comprehensive and continuous index of all births and deaths registered. Adequate fireproof space in one of the State buildings for filing the birth and death records made and returned under this Article shall be provided by the General Services Division. No persons other than those authorized by the State Registrar shall have access to any original birth and death records.

**G.S. 130-60. Amendment of birth and death certificate.** (a) No certificate of birth or death, after its acceptance for registration by the State Registrar, and no other record made in pursuance of this Article, shall be altered or changed in any respect otherwise than by amendment requests properly dated, signed and witnessed: Provided, that the State Registrar may promulgate rules and regulations governing the type and amount of proof of the correctness of the change or amendment which must accompany the request for a change or amendment in the certificate of birth or death, or other record made in pursuance of this Article: Provided, further, that a new certificate of birth shall be made by the State Registrar whenever:

- (1) Proof is submitted to the State Registrar that the previously unwed parents of a person have intermarried subsequent to the birth of such
- (2) When notification is received by the State Registrar from the clerk of a court of competent jurisdiction of a judgement, order, or decree disclosing different or additional information relating to the parentage of a person;
- (3) Satisfactory proof is submitted to the State Registrar that there has been entered in a court of competent jurisdiction a judgement, order, or decree disclosing different or additional information relating to the parentage of a person.

(b) For the amendment of any certificate of birth or death after its acceptance for filing, or for the making of a new certificate of birth under this Article, the State Registrar shall be entitled to a fee not to exceed five dollars (\$5.00) to be paid by the applicant. Such fees shall be deposited and accounted for in the same manner as all other fees provided for in this Article.

(c) When a new certificate of birth is made the State Registrar shall substitute such new certificate for the certificate of birth then on file, and shall forward a copy of the new certificate to the register of deeds of the county of birth, and the copy of the certificate of birth on file with the register of deeds, if any, shall be forwarded to the State Registrar within five days. The State Registrar shall place under seal the original certificate of birth, the copy forwarded by the register of deeds, and all papers relating in any way to the original certificate of birth. Such seal shall not be broken except by an order of a court of competent jurisdiction. Thereafter, when a certified copy of the certificate of birth of such person is issued, it shall be a copy of the new

certificate of birth, except when an order of a court of competent jurisdiction shall require the issuance of a copy of the original certificate of birth.

**G.S. 130-61. Birth certificate as evidence.** Certified copies of birth certificates shall be accepted by public school authorities in this State as prima facie evidence of the age of children registering for school attendance, and no other proof need be required. In addition, certified copies of birth certificates shall be required by all factory inspectors, and employers of youthful labor, as prima facie proof of age, and no other proof need be required. When, however, it is not possible to secure such certified copy of birth certificate for any child, the school authorities and factory inspectors may accept as secondary proof of age any competent evidence by which the age of persons is usually established.

**G.S. 130-62. Clerk of court to furnish State Registrar with facts as to paternity of illegitimate children judicially determined.** (a) Upon the entry of a judgement determining the paternity of an illegitimate child, the clerk of the court in which such judgement is entered shall notify in writing the State Registrar of the name of the person against whom such judgement has been entered, together with such other facts disclosed by the record as may assist in identifying the record of the birth of the child as the same may appear in the office of the State Registrar. If such judgement shall thereafter be modified or vacated, that fact shall be reported by the clerk to the State Registrar in the same manner.

(b) Upon receipt of said notification the State Registrar shall record the information upon the birth certificate of the illegitimate child: Provided, however, that unless the judgment, order, or decree discloses that the child has been legitimated under the provisions of G.S.49-10 or 49-12, the surname of said illegitimate child shall remain the same as the surname of its mother.

**G.S. 130-63. Duties of local registrars as to birth and death certificates; reports; copies to be forwarded by State Registrar.** (a) The local registrar with respect to his registration district, shall:

- (1) Administer and enforce the provisions of this Article and any instructions, rules and regulations issued by the State Registrar.
- (2) Furnish blank certificate forms, supplies, and instructions to persons who require them.
- (3) Examine each certificate when submitted for record to ascertain if it has been completed in accordance with the provisions of this Article and the instructions of the State Registrar. If a certificate is incomplete or unsatisfactory, he shall immediately notify the person responsible and require him to furnish the necessary information. All certificates, either of birth or death, shall be typed or written legibly in permanent black or blue-black ink.
- (4) Enter the date on which he received the certificate and sign his name as local registrar.
- (5) Within seven (7) days of the date of his receipt of a certificate of birth or death, transmit to the Register of Deeds of the county or his agent a copy of each certificate registered by him. Such copies may be on blanks furnished by the State Registrar; or, in lieu thereof, he may cause photocopies to be made in such manner and form and on paper of such standard grade and quality as the register of deeds may approve. He may also make a copy of each certificate for his own records.
- (6) On the fifth day of each month, or more often if requested, send to the State Registrar all original certificates registered by him during the preceeding month.
- (7) Maintain such records, make such reports, and perform such other duties as may be required by the State Registrar.



(b) Upon receipt of the original certificates of birth, death, and fetal death from the local registrars of vital statistics, the State Registrar shall prepare a copy of each certificate except in the case of a child born out of wedlock that was filed in a county other than the county of residence. Such copies shall be forwarded within ninety days, through the local health department, to the register of deeds of the county of residence.

**G.S. 130-64. Register of deeds to preserve copies of birth and death records.** The register of deeds of each county shall file and preserve the copies of birth and death certificates furnished to him by the local registrar under the provisions of G.S. 130-63, and shall make and keep a proper index of such certificates. These records shall be open to public inspection. Upon request, the register of deeds may make duplicates, copies, or abstracts of such records for which he shall be entitled to such fees as may be provided in G.S. 161-10.

**G.S. 130-65. Pay of local registrars.** Each local registrar shall be paid the sum of fifty cents (50¢) for each birth, death, and fetal death certificate properly and completely made out and registered with him, correctly recorded and promptly returned by him to the State Registrar, as required by this Article. In case no births, deaths, or fetal deaths were registered during any month, the local registrar shall be entitled to be paid the sum of fifty cents (50¢) for each report to that effect, but only if such report be made promptly as required by this Article. The compensation of local registrars for services required of them by this Article shall be paid by the county treasurers. The State Registrar shall certify every six months to the treasurers of the several counties the number of births and deaths properly registered, with the names of the local registrars and the amounts due each at the rates fixed herein.

**G.S. 130-66. Certified copies of records; fee.** (a) The State Registrar shall, upon request, issue to any authorized applicant a certified copy of the record of any birth or death registered under provisions of this Article. Such certified copy of the birth record shall show the date of registration, and such other items as may be determined by the State Registrar.

(b) The State Registrar is authorized to prepare typewritten, photographic, or other reproductions of original records and files in his office. Such reproductions, when certified by him, shall be considered for all purposes the same as the original and shall be prima facie evidence of the facts therein stated.

The State Registrar shall have the power and authority to appoint employees or agents, and upon such appointment by the State Registrar, said employees or agents shall have the power and authority to issue a certified copy of the record of any birth or death registered under the provisions of this Article and to sign the name of or affix a facsimile of the signature of the State Registrar to the certification of said copy; and any copy of a record of a birth or a death, with the certification of same, so signed or with the facsimile of the State Registrar affixed thereto shall have the same evidentiary value as those issued by the State Registrar.

(c) The State Registrar shall be entitled to a fee not to exceed two dollars (\$2.00) for the making and certification of any record registered under the provisions of this Article, or for conducting a search of the files for such record when no copy is made.

The State Registrar shall keep a true and correct account of all fees by him received under these provisions, and turn the same over to the Treasurer of the State of North Carolina for use by the State Board of Health for health purposes.

(d) Federal, State, Local, and other public or private agencies may, upon request, be furnished copies or data for statistical purposes upon such terms or conditions as may be prescribed by the State Registrar.

(e) No person shall prepare or issue any certificate which purports to be an official certified copy of a certificate of birth, death, or fetal death, except as authorized in this Act or regulations adopted hereunder.

**G.S. 130-67. Information furnished to officers of any veterans' organization.** Upon application to the Office of Vital Statistics by any officer of the local post of any veterans' organization chartered by Congress or organized and operating on a Statewide or nationwide

basis, it shall be the duty of the Office of Vital Statistics to furnish immediately to such applicant the vital statistical records and necessary copies thereof, made up in the necessary forms for the use of such applicant, without charge. This Section shall apply only to records of persons who are members or former members of the armed forces of the United States and members of their families and/or beneficiaries under government insurance or adjusted compensation certificate issued to such member or former member of armed forces of the United States: Provided, that the State Registrar shall furnish to any veterans' organization in this State, upon application therefor in connection with junior or youth baseball, certification of dates of birth, without the payment of the fees prescribed in this Article.

**G.S. 130-68. Registers of deeds to issue birth certificates without cost to persons entering military forces.** The several registers of deeds of the State of North Carolina are authorized and directed to issue, free of cost, birth certificates to persons about to enter the United States military forces.

**G.S. 130-69. Violations of Article; penalty.** (a) Grounds for Suspension or Revocation of Embalmer's or Funeral Director's License. A violation of any of the provisions of this Article by any licensed embalmer or licensed funeral director shall constitute grounds for suspension or revocation of such license or licenses by the State Board of Embalmers and Funeral Directors.

(b) Misdemeanors. Any person, who for himself or as an officer, agent, or employee of any other person, or of any corporation or partnership, shall do or omit any of the following acts:

- (1) Shall remove the dead body of a human being, or permit the same to be done, without such authorization as is provided in this Article;
- (2) Refuse or fail to furnish correctly any information in his possession, or shall furnish false information affecting any certificate or record, required by this Article;
- (3) Wilfully alter, otherwise than as provided by G.S. 130-59, or falsify any certificate or record required by this Article; or wilfully alter, falsify, or change any photocopy, certified copy, extract copy, or any document containing information obtained from an original, or copy, of any certificate or record required by this Article, or wilfully make, create or use any altered, falsified, or changed record, reproduction, copy or document, for the purpose of attempting to prove or establish for any purpose whatsoever any matter purported to be shown thereon;
- (4) With the intention to deceive wilfully uses or attempts to use any certificate of birth or certified copy of a record of birth knowing that such certificate or certified copy was issued upon a record which is false in whole or in part or which relates to the birth of another person;
- (5) Wilfully and knowingly furnishes a certificate of birth or certified copy of a record of birth with the intention that it be used by an unauthorized person or for an unauthorized purpose;
- (6) Fail, neglect, or refuse to perform any act or duty as required by this Article or by the instructions of the State Registrar prepared under authority of this Article;
- (7) Inter, cremate, remove from the State, or otherwise finally dispose of the dead body of a human being, or permit the same to be done without authority of a burial-transit permit issued by the local registrar of the district in which the death occurred or in which the body was found; shall upon conviction thereof, be guilty of a general misdemeanor and punished in the discretion of the court.

1 **G.S. 130-70. Duties of registrars and others in enforcing this Article.** (a) Each local  
2 registrar is hereby charged with the strict and thorough enforcement of the provisions of this  
3 Article in his registration district, under the supervision and direction of the State Registrar. He  
4 shall make an immediate report to the State Registrar of any violation of this Article coming to  
5 his knowledge, by observation or upon complaint of any person or otherwise.

6 (b) The State Registrar is hereby charged with the thorough and efficient execution of  
7 the provisions of this Article in every part of the State, and is hereby granted supervisory power  
8 over local registrars, deputy local registrars, and sub-registrars. He shall see that all of the  
9 requirements of this Article are uniformly complied with. The State Registrar, either personally  
10 or through an accredited representative, shall have authority to investigate cases of irregularity  
11 or violation of this Article, and all registrars shall aid him, upon request, in such investigations.  
12 When he deems it necessary, he shall report violations of the provisions of this Article to the  
13 prosecuting attorney of the county, or to the solicitor of the district, with a statement of the  
14 facts and circumstances; and when any such violation is reported to him by the State Registrar,  
15 the prosecuting attorney or solicitor of the district, as the case may be, shall forthwith initiate  
16 and promptly follow up the necessary court proceedings against the person or corporation  
17 responsible for the alleged violation of law. Upon request of the State Registrar, the Attorney  
18 General shall also assist in the enforcement of the provisions of this Article.

19 **G.S. 130-71. Local systems abrogated.** No systems for the registration of births and deaths  
20 shall be continued or maintained in any of the several municipalities of this State other than the  
21 one provided for and established by this Article.

22 **G.S. 130-72. Establishing fact of birth by person without certificate.** (a) Any person born  
23 in the State of North Carolina not having a duly recorded certificate of his or her birth, may file  
24 a duly verified petition with the clerk of the superior court in the county of his legal residence  
25 or place of birth, setting forth the date, place, and parentage of his birth, and petitioning the said  
26 clerk to hear evidence, and find, and adjudge the date, place and parentage of the birth of said  
27 petitioner. Upon the filing of such a petition, the clerk shall set a date for hearing evidence  
28 upon the same, and shall conduct said proceeding in the same manner as other special  
29 proceedings. At the time set for said hearing the petitioner shall present such evidence as may  
30 be required by the court to establish the fact of his birth to the satisfaction of said court. At said  
31 hearing, if the evidence offered shall satisfy said court of the date, place, and parentage of said  
32 petitioner's birth, the court shall thereupon find the facts and enter a judgment duly establishing  
33 the date and place of birth and parentage of said petitioner, and record the same in the record of  
34 special proceedings in his office. The clerk shall certify the same to the Office of Vital  
35 Statistics and the same shall thereupon be recorded in the Office of Vital Statistics upon forms  
36 which it may adopt and a copy thereof certified to the register of deeds of the county in which  
37 said petitioner was born. The clerk may charge a fee not to exceed two dollars (\$2.00) for his  
38 services under this Section.

39 (b) The record of birth established by a person under this Section, when recorded, shall  
40 be accepted by the courts and other agencies of this State in the same manner as other records  
41 covered by this Article.

42 (c) The provisions provided hereunder shall be cumulative, and not in disparagement of  
43 any other acts or provisions for obtaining a delayed birth certificate.

44 **G.S. 130-73. Establishing facts relating to birth of abandoned children.** (a) In the event a  
45 person who was abandoned, deserted, or forsaken as a child by his or her parent(s) in North  
46 Carolina and the name and address of the abandoning parent(s) are unknown, and the place and  
47 date of birth are unknown, such person may file a duly verified petition with the clerk of the  
48 superior court in the county where he was abandoned, deserted or forsaken, setting forth the  
49 facts and petitioning the clerk to hear evidence and find the facts concerning the abandonment,  
50 the name or assumed name, date and place of birth of the person, and the names of the person  
51 or persons acting in loco parentis to the individual.

(b) The clerk shall find such facts as the evidence may warrant and, if there is insufficient evidence to establish the place of birth, it shall be conclusively presumed that such person was born in the county where he was abandoned. The clerk shall enter a judgment as to his findings and record the same in the record of special proceedings in his office. The clerk shall certify the same to the State Office of Vital Statistics and the same shall thereupon be recorded in the State Office of Vital Statistics upon forms which it may adopt and a copy thereof certified to the register of deeds of the county in which said petitioner was abandoned. The clerk may charge a fee not to exceed two dollars (\$2.00) for his services under this Section.

(c) The record of birth established by a person under this Section, when recorded, and shall be accepted by the courts and other agencies of this State in the same manner as other records covered by this Article.

(d) The provisions provided hereunder shall be cumulative, and not in disparagement of any other acts or provisions for obtaining a delayed birth certificate.

**Sec. 2.** G.S. 160-200(22) is hereby rewritten to read as follows: "To acquire, establish, and maintain cemeteries and to regulate the burial of the dead."

**Sec. 3.** All laws and clauses of laws in conflict with this Act are hereby repealed.

**Sec. 4.** This Act shall become effective on October 1, 1969.

In the General Assembly read three times and ratified, this the 26th day of June, 1969.