

§ 130A-118. Amendment of birth and death certificates.

(a) After acceptance for registration by the State Registrar, no record made in accordance with this Article shall be altered or changed, except by a request for amendment. The State Registrar may adopt rules governing the form of these requests and the type and amount of proof required.

(a1) The Office of Vital Records and each local register of deeds office shall process each request for amendment of a certificate of birth or death within 30 calendar days after the date the office receives the appropriate completed application, any required proof, and payment of any applicable fee for the amendment.

(a2) The Office Notwithstanding any policy implemented by the Office of State Human Resources or the Department of Health and Human Services, or any provision of State law to the contrary, employees of the Office of Vital Records are not permitted to telework if doing so will adversely impact the time line provided in subsection (a1) of this section, unless telework is determined to be necessary by the Secretary of the Department of Health and Human Services during any period of time when there is a declared disaster or emergency pursuant to Chapter 166A of the General Statutes. As used in this subsection, the term "telework" means to use the internet, email, or telephone to perform work duties at a location other than an assigned primary workstation. This subsection applies to all permanent and temporary employees of the Office of Vital Records.

(b) A new certificate of birth shall be made by the State Registrar when:

- (1) Proof is submitted to the State Registrar that the previously unwed parents of a person have intermarried subsequent to the birth of the person;
- (2) Notification is received by the State Registrar from the clerk of a court of competent jurisdiction of a judgment, 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 judgment, order or decree disclosing different or additional information relating to the parentage of a person; or
- (4) A written request from an individual is received by the State Registrar to change the sex on that individual's birth record because of sex reassignment surgery, if the request is accompanied by a notarized statement from the physician who performed the sex reassignment surgery or from a physician licensed to practice medicine who has examined the individual and can certify that the person has undergone sex reassignment surgery.

(c) A new birth certificate issued under subsection (b) may reflect a change in surname when:

- (1) A child is legitimated by subsequent marriage and the parents agree and request that the child's surname be changed; or
- (2) A child is legitimated under G.S. 49-10 or G.S. 49-12.1 and the parents agree and request that the child's surname be changed, or the court orders a change in surname after determination that the change is in the best interests of the child.

(d) For the amendment of a 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 fifteen dollars (\$15.00) to be paid by the applicant.

(e) When a new certificate of birth is made, the State Registrar shall substitute the 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. 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 to the original certificate of birth. The 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 the 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.

(f) When the sex of a person is changed on an amended or new birth certificate issued under subsection (a) or (b)(4) of this section, the State Registrar shall attach the new certificate to the certificate of birth then on file and shall preserve both certificates as a multi-page document. The State Registrar shall forward a copy of the new certificate to the register of deeds of the county of birth. The register of deeds of the county of birth shall attach the new certificate to the copy of the certificate of birth on file. The register of deeds shall preserve both certificates as a multi-page document. Thereafter, when a certified copy of the certificate of birth of the person is issued, it shall be a copy of the multi-page document. The State Registrar shall adopt rules and policies to implement these requirements. (1957, c. 1357, s. 1; 1969, c. 1031, s. 1; 1975, c. 556; 1977, c. 1110, s. 4; 1983, c. 891, s. 2; 2002-126, s. 29A.18(b); 2019-42, s. 3; 2025-44, ss. 3(a), 4(a), (b); 2025-84, s. 4(a).)