

SESSION OF 2014

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2613

As Amended by House Committee on Judiciary

Brief*

HB 2613, as amended, would enact Meriden's Law, which would require the State Registrar to establish a certificate of birth resulting in stillbirth. The bill would require the certificate to contain personal and demographic information describing the stillbirth event and shall not contain any information relating to the child's death. The bill would state the certificate would not be proof of a live birth.

In existing law, the bill would replace "product of human conception" with "human child" in the definition of "live birth." Additionally, the bill would amend the definition of "stillbirth" to mean any complete expulsion or extraction from its mother of a human child the gestational age of which is not less than 20 completed weeks, resulting in other than a live birth and which is not an induced termination of pregnancy. "Gestational age" would be defined as the age of the human child as measured in weeks as determined by either the last date of the mother's menstrual period, or a sonogram conducted prior to the twentieth week of pregnancy or the confirmed known date of conception. Additionally, the bill would strike the definition of "induced termination of pregnancy." Instead, "induced termination of pregnancy" would mean "abortion" as defined elsewhere in statute.

Finally, the bill would strike "fetus" in a section requiring a funeral director or person acting as such who first assumes custody of a dead body file the death certificate.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Background

In the House Judiciary Committee, Representative Doll and several concerned citizens offered testimony in support of the bill. State Registrar Elizabeth Saadi, Kansas Department of Health and Environment (KDHE), appeared as a neutral conferee. No opponents offered testimony.

The House Committee amended the bill by adopting a balloon amendment supported by both the proponents and KDHE, which strikes much of the new language that would have been added, but maintains the requirement that the State Registrar establish a certificate of birth resulting in stillbirth. Additionally, the balloon revises requirements for information that must be included in the certificate. In existing law, the balloon replaces “product of human conception” with “human child”; revises the definitions of “stillbirth” and “induced termination of pregnancy;” adds a definition for “gestational age”; and restores language allowing the State Registrar to issue a stillbirth certificate.

The fiscal note prepared by the Division of the Budget indicates passage of the bill, as introduced, would create a one-time expenditure for KDHE of \$40,000 from agency fee funds in FY 2015 to modify the Vital Statistics Integrated Information System.