

**Introduced by Senators Maldonado and Correa**  
(Coauthor: Assembly Member Adams)

February 23, 2007

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An act to add Article 4.5 (commencing with Section 103040) to Chapter 7 of Part 1 of Division 102 of the Health and Safety Code, relating to vital records.

LEGISLATIVE COUNSEL'S DIGEST

SB 850, as introduced, Maldonado. Birth certificates: stillborn births.

Existing law requires the State Registrar of Vital Statistics, to administer the registration of births, deaths, fetal deaths, and marriages. Existing law requires that each fetal death in which the fetus has advanced to or beyond the 20th week of uterogestation to be registered with the local registrar of births and deaths of the district in which the fetal death was officially pronounced within 8 calendar days following the event and prior to any disposition of the fetus.

This bill would enact the Missing Angels Act, which would require the local registrar of births and deaths of the district in which a fetal death in which the fetus has advanced to or beyond the 20th week of uterogestation is registered to issue, upon request, to the father or mother or his or her designee, a certificate of birth resulting in stillbirth on a form approved by the State Registrar of Vital Statistics for each fetal death occurring in this state after the 20th week of uterogestation, as provided. By imposing a new requirement on local registrars of births and deaths, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Article 4.5 (commencing with Section 103040)  
2 is added to Chapter 7 of Part 1 of Division 102 of the Health and  
3 Safety Code, to read:

4  
5 Article 4.5. Missing Angels Act

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7 103040. This act shall be known, and may be cited, as the  
8 Missing Angels Act.

9 103040.1. (a) The local registrar of births and deaths of the  
10 district in which a fetal death in which the fetus has advanced  
11 beyond the 20th week of uterogestation shall issue, upon request  
12 to the mother or father of the fetus, or his or her designee, a  
13 certificate of birth resulting from stillbirth, on a form approved by  
14 the State Registrar of Vital Statistics for each fetal death occurring  
15 in this state after the 20th week of uterogestation.

16 (b) A certificate of birth resulting in stillbirth issued pursuant  
17 to subdivision (a) shall comply with all of the format and filing  
18 requirements governing a certificate for a live birth contained in  
19 Article 2 (commencing with Section 102425).

20 SEC. 2. If the Commission on State Mandates determines that  
21 this act contains costs mandated by the state, reimbursement to  
22 local agencies and school districts for those costs shall be made  
23 pursuant to Part 7 (commencing with Section 17500) of Division  
24 4 of Title 2 of the Government Code.

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