

SESSION OF 2014

**CONFERENCE COMMITTEE REPORT BRIEF
SENATE BILL NO. 258**

As Agreed to May 1, 2014

Brief*

SB 258 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.

*Conference committee report briefs are prepared by the Legislative Research Department and do not express legislative intent. No summary is prepared when the report is an agreement to disagree. Conference committee report briefs may be accessed on the Internet at <http://www.kslegislature.org/kldr>

Conference Committee Action

The Conference Committee on SB 258 emptied the bill of its original contents and added the provisions of the House version of HB 2613, regarding a certificate of birth resulting in stillbirth. The Conference Committee added language making the new section of the bill part of and supplemental to the Uniform Vital Statistics Act.

Background

As it entered conference, SB 258 would have amended the statute of limitations for juvenile offenses. These provisions were added to SB 329 by the Senate Committee on Judiciary and House Committee on Corrections and Juvenile Justice conferees on SB 329.

Background of HB 2613

In the House Judiciary Committee, Representative Doll and several concerned citizens offered testimony in support of HB 2613. The State Registrar, 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, to strike much of the new language that would have been added, but maintain 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.

In the Senate Judiciary Committee, Representative Doll and several concerned citizens offered testimony in support of the bill.

The Senate Committee amended the bill to provide the bill would be part of and supplemental to the Uniform Vital Statistics Act. The bill also adopted an amendment concerning death certificates for unborn children, which also would amend the definitions for “stillbirth” and “dead body” and add definitions for “unborn child,” “unborn child’s death,” and “miscarriage.”

The fiscal note prepared by the Division of the Budget indicates passage of HB 2613, 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.

Uniform Vital Statistics Act; certificate of birth resulting in stillbirth.

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