

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

1

SENATE BILL 632

Short Title: Vital Records Changes.

(Public)

---

Sponsors: Senator Allran.

---

Referred to: Judiciary I/Constitution

---

April 11, 1995

A BILL TO BE ENTITLED

AN ACT TO AMEND THE VITAL RECORDS LAW.

The General Assembly of North Carolina enacts:

Section 1. G.S. 130A-26 is repealed.  
Sec. 2. Chapter 130A of the General Statutes is amended by adding the following new section to read:

**"§ 130A-26A. Violations of Article 4.**

(a) A person who commits any of the following acts shall be guilty of a Class 1 misdemeanor:

- (1) Willfully and knowingly makes any false statement in a certificate, record, or report required by Article 4 of this Chapter;
- (2) Removes or permits the removal of a dead body of a human being without authorization provided in Article 4 of this Chapter;
- (3) Refuses or fails to furnish correctly any information in the person's possession or furnishes false information affecting a certificate or record required by Article 4 of this Chapter;
- (4) Fails, neglects, or refuses to perform any act or duty required by Article 4 of this Chapter or by the instructions of the State Registrar prepared under authority of the Article.

- 1           (5) Charges a fee for performing any act or duty required by Article 4 of  
2 this Chapter or by the State Registrar pursuant to Article 4 of this  
3 Chapter, other than fees specifically authorized by law.
- 4       (b) A person who commits any of the following acts shall be guilty of a Class I  
5 felony:
- 6           (1) Willfully and knowingly makes any false statement in an application for  
7 a certified copy of a vital record, or who willfully and knowingly  
8 supplies false information intending that the information be used in the  
9 obtaining of any copy of a vital record;
- 10          (2) Without lawful authority and with the intent to deceive makes,  
11 counterfeits, alters, amends, or mutilates a certificate, record, or report  
12 required by Article 4 of this Chapter or a certified copy of the  
13 certificate, record, or report;
- 14          (3) Willfully and knowingly obtains, possesses, sells, furnishes, uses, or  
15 attempts to use for any purpose of deception, a certificate, record, or  
16 report required by Article 4 of this Chapter or a certified copy of the  
17 certificate, record, or report, which is counterfeited, altered, amended, or  
18 mutilated, or which is false in whole or in part or which relates to the  
19 birth of another person, whether living or deceased;
- 20          (4) When employed by the Vital Records Section of the Department or  
21 designated under Article 4 of this Chapter, willfully and knowingly  
22 furnishes or processes a certificate of birth, death, marriage, or divorce,  
23 or certified copy of a certificate of birth, death, marriage, or divorce  
24 with the knowledge or intention that it be used for the purposes of  
25 deception;
- 26          (5) Without lawful authority possesses a certificate, record, or report  
27 required by Article 4 of this Chapter or a certified copy of the  
28 certificate, record, or report knowing that it was stolen or otherwise  
29 unlawfully obtained;
- 30          (6) Willfully alters, except as provided by G.S. 130A-118, or falsifies a  
31 certificate or record required by Article 4 of this Chapter; or willfully  
32 alters, falsifies, or changes a photocopy, certified copy, extract copy, or  
33 any document containing information obtained from an original or copy  
34 of a certificate or record required by Article 4 of this Chapter; or  
35 willfully makes, creates, or uses any altered, falsified or changed record,  
36 reproduction, copy or document for the purpose of attempting to prove  
37 or establish for any purpose whatsoever any matter purported to be  
38 shown on it;
- 39          (7) Without lawful authority, manufactures or possesses the seal of: (i) the  
40 Vital Records Section, (ii) a county register of deeds, or (iii) a county  
41 health department, or without lawful authority, manufactures or  
42 possesses a reproduction or a counterfeit copy of the seal;

- 1           (8) Without lawful authority prepares or issues any certificate which  
2           purports to be an official certified copy of a vital record;  
3           (9) Without lawful authority, manufactures or possesses Vital Records  
4           Section, county register of deeds, or county health department vital  
5           records forms or safety paper used to certify births, deaths, marriages,  
6           and divorces, or reproductions or counterfeit copies of the forms or  
7           safety paper; or  
8           (10) Willfully and knowingly furnishes a certificate of birth or certified copy  
9           of a record of birth with the intention that it be used by an unauthorized  
10           person or for an unauthorized purpose."

11           Sec. 3. This act becomes effective October 1, 1995.