# Chapter 432

## 1959 REPLACEMENT PART

# Vital Statistics


VITAL STATISTICS SYSTEM; STATE, COUNTY AND LOCAL REGISTRARS; DUTIES AND COMPENSATION

432.005 Definitions
432.010 Bureau of Vital Statistics; vital statistics system
432.015 Regulations and enforcement
432.020 State Registrar; appointment; vacancy; compensation
432.025 Assistant state registrars
432.030 Duties of State Registrar
432.035 County and local registrars
432.040 Duties of county and local registrars
432.045 Compensation of registrars
432.050 Procedure for payment of compensation
432.055 Appointment of other personnel

GENERAL PROVISIONS ON CERTIFICATION AND RECORDS; FEES

432.105 Procedure for transmitting and filing certificates
432.110 Lists of births and deaths
432.115 Issuance of certified copies; limitations
432.120 Disclosure and certification of records limited
432.125 Issuance of abbreviated certificates
432.130 Compelling access to records
432.135 Acceptance of delayed or altered certificates
432.140 Procedure in filing delayed or altered certificates
432.145 Fees for certified copies and search of files
432.150 When certification exempt from fees
432.155 Accounting of fees
432.160 Alteration of certificates prohibited
432.165 Records kept by supervisors of institutions

RECORDS OF BIRTHS; CERTIFICATION OF UNRECORDED BIRTHS

432.205 Compulsory registration of births
432.210 When local registrar must prepare birth certificate
432.215 Supplementary report furnishing data omitted on original certificate
432.220 Syphilis test to be recorded
432.255 Petition for certificate of unrecorded birth
432.260 Filing fees; forms
432.265 Service on district attorney
432.270 Hearing on petition
432.275 Court's findings and orders
432.280 Registration of court order; evidentiary effect

DEATH CERTIFICATES; BURIAL PERMITS

432.305 Compulsory registration of deaths and stillbirths
432.310 Preparation of death or stillbirth certificate
432.315 Delayed determination of the cause of death
432.320 Necessity for permit before disposing of dead body
432.325 Foreign permits to be indorsed by registrar
432.330 Prerequisites for permit
432.335 Return of original certificates to State Registrar
432.340 Transportation without permit prohibited
432.345 Record, report and notice by seller of caskets

RECORDS OF MARRIAGES, DIVORCES, ADOPTIONS, LEGITIMATIONS, FOUNDLINGS

432.405 Report of marriages and divorces
432.415 Duties of State Registrar in recording adoptions
432.420 Access to adoption records
432.425 Issuance of new certificate for child whose parents intermarry after child's birth; access to evidence of legitimation or original certificate limited
432.430 Registration of foundlings

PENALTIES

432.990 Penalties


## CROSS REFERENCES

Evidentiary effect of certificates and facts therein, 43.380

**432.010**

State administrative agencies, Ch. 182

**432.015**

Administrative procedures governing state agencies, 183.310 to 183.510

**432.020**

Compensation of State Registrar, applicability of State Civil Service Law to, 240.235

**432.055**

State Civil Service Law, Ch. 240

**432.150**

"War veteran" defined, 174.100

**432.165**

Supervisors of institutions to report deaths to coroner or medical investigator, 146.030, 146.115, 146.440, 146.990

**432.205**

Change of name, issuance and recording of new certificates, 33.430

Chiropractors may sign birth and death certificates, 684.030
Naturopaths may sign birth and death certificates, 685.050

**432.305**

Supervisors of institutions to report deaths to coroner or medical investigator, 146.030, 146.115, 146.440, 146.990

**432.310**

Chiropractors may sign birth and death certificates, 684.030
Local health officer as medical investigator, 146.420

**432.315**

Local health officer as medical investigator, 146.420
Naturopaths may sign birth and death certificates, 685.050
State Health Officer to transmit to Secretary of State motor vehicle accident death certificates, 483.608

**DEATH CERTIFICATES; BURIAL PERMITS**

Grounds for denial or suspension of licenses of funeral directors or embalmers, 692.180

**432.415**

Adoption, report form, 109.400
Procedures prior to 1959 repeal of ORS 432.310 and 1959 amendment to ORS 432.315 continue to apply to petitions for adoptions filed before August 5, 1959, 1959 c.430 §6

**432.990**

Penalty for concealing dead child by unmarried mother, 163.660

## VITAL STATISTICS SYSTEM; STATE, COUNTY AND LOCAL REGISTRARS; DUTIES AND COMPENSATION

**432.005 Definitions.** As used in this chapter, unless the context requires otherwise:

(1) "Board" means the State Board of Health.

(2) "State Registrar" means the State Registrar of Vital Statistics.

**432.010 Bureau of Vital Statistics; vital statistics system.** The State Board of Health shall:

(1) Establish a Bureau of Vital Statistics with suitable offices which shall be equipped properly for the safety and preservation of all official records made and received under this chapter or under the regulations of the board.

(2) Install an adequate system of vital statistics throughout the state.

**432.015 Regulations and enforcement.** The State Board of Health shall:

(1) Make and amend, after due notice and hearing, regulations necessary to the installation and efficient performance of an adequate system of vital statistics, give instructions and prescribe forms for collecting, transcribing, compiling and preserving vital statistics. The regulations of the board shall be published and distributed according to ORS 183.010 to 183.050 and shall take effect 30 days after their publication.

(2) Enforce this chapter and the regulations made pursuant thereto.

**432.020 State Registrar; appointment; vacancy; compensation.** (1) The board shall appoint a State Registrar of Vital Statistics who shall qualify in accordance with standards of education and experience as the board shall determine.

(2) In case of a vacancy in the office of State Registrar, the board shall appoint a successor.

(3) The State Registrar shall receive the compensation fixed by the board.

**432.025 Assistant state registrars.** The board may appoint, when necessary, assistant state registrars who shall be assistants to the State Registrar.

**432.030 Duties of State Registrar.** The State Registrar:

(1) Under the supervision of the State Health Officer, shall have charge of the Bureau of Vital Statistics.

(2) Shall act as custodian of all certificates and records received by him, and perform such other duties as the board may prescribe.

(3) Is charged with the execution of this chapter and of the regulations of the board throughout the state.

(4) Shall have supervisory power over the local registrars and deputy local registrars.

(5) May investigate in behalf of the board all cases of irregularity or of violation of this chapter and of any regulations of the board.

(6) May submit to the legislature and the Governor an annual report of the administration of this chapter.

**432.035 County and local registrars.** The board shall appoint in each county a county registrar, and may, when convenient, appoint one or more deputy county registrars in any county; provided that so far as practical, the county health officer shall be appointed county registrar. The board may, where convenient, appoint local registrars and deputy local registrars in any county.

**432.040 Duties of county and local registrars.** The county and local registrars and their deputies shall:

(1) Comply with all instructions of the State Registrar.

(2) Check upon the compliance by others with the provisions of this chapter and with the regulations of the board.

(3) Make an immediate report to the State Registrar of any violation of this chapter or of the regulations of the board coming to their notice by observation or upon complaint of any person, or otherwise.

**432.045 Compensation of registrars.** The board may set the amount of the fees to be paid to each county or local registrar for every birth, death or stillbirth certificate properly completed and received by the State Registrar in accordance with the regulation of the board, and for each report that no birth, death or stillbirth was registered in a calendar month, provided that such amount does not exceed 50 cents per certificate or report.

**432.050 Procedure for payment of compensation.** The fees of county and local registrars shall be paid, upon certification by the State Registrar, by the treasurer of the county in which the registration district

is located, out of the general fund of the county. The State Registrar shall periodically certify to the treasurer of the several counties the number of births, stillbirths and deaths registered, with the names of the county and local registrars and the amount due each.

**432.055 Appointment of other personnel.** The board shall provide for such other assistance as may be necessary to enforce this chapter and the regulations thereunder and shall determine the status, compensation and duties of persons thus employed.

**432.060 to 432.100** [Reserved for expansion]

## GENERAL PROVISIONS ON CERTIFICATION AND RECORDS; FEES

**432.105 Procedure for transmitting and filing certificates.** Each local registrar shall promptly transmit each birth certificate and each death certificate filed with him to the county registrar. The county registrar forthwith shall prepare an abstract of each death certificate, containing the full name of the decedent, the place and date of death and the name of his spouse, if any. Such abstract, if the county registrar has his office in the county seat, shall be filed and indexed in alphabetical order and safely kept by the county registrar. If such records are not maintained in the designated county health office, the registrar shall promptly file each such abstract with the county clerk, who shall file and index the same in alphabetical order and safely keep the same of record in his office.

**432.110 Lists of births and deaths.** County and local registrars shall prepare at least once each week, a list of the births, excepting those relating to certificates filed directly with the State Registrar, and deaths reported to them during the preceding week. This list shall show the full names of parents and child, the names of persons deceased, and the date and place of each birth or death. These lists shall be made available for public inspection for one week following preparation.

**432.115 Issuance of certified copies; limitations.** The State Registrar and county registrars shall, upon request, subject to ORS 432.120, furnish to any applicant a certified copy of the original certificates, or any parts thereof, filed in his office, or permit their inspection. However, a certified copy of a copy of a certificate may not be issued, except that the county registrar shall certify or permit the inspection of any abstract of death certificate on file in his office.

**432.120 Disclosure and certification of records limited.** (1) All certificates in the custody of any registrar are confidential and shall not be opened to or for public inspection except as provided in this section and ORS 432.420.

(2) Birth records shall be open to inspection by the registrant, if of legal age, his parents, or legal guardian, or by their respective representatives.

(3) Stillbirth and death records shall be open to inspection by persons who have a direct and proper interest in the record, including examiners of title to property.

(4) Marriage and divorce records shall be open to public inspection.

(5) Full certified copies shall be issued to any person having the right to inspect the record, or upon order of a court of competent jurisdiction.

**432.125 Issuance of abbreviated certificates.** (1) The State Registrar shall issue an abbreviated certificate of birth or death to any applicant.

(2) The abbreviated certificate of birth shall set forth the full name and sex of the child, place and date of birth, the number of the state registration on the original certificate and the date filed.

(3) The abbreviated certificate of death shall set forth the facts recorded on the original certificate except the medical certification of cause of death. It shall set forth as a minimum the full name, place and date of death and the name of the spouse if the decedent was married.

**432.130 Compelling access to records.** Any person who is refused an inspection of any record provided for in this chapter may file with the clerk of the circuit court for the county in which such record is kept a verified petition setting forth in plain and concise language the facts showing such petitioner's right to an inspection of the record. A filing fee of $1 shall be paid to the clerk of the court at the time of filing such petition. Forms of petition prepared by the board shall be furnished the petitioner without charge by the clerk of the court upon request. Upon hearing of such peti-

tion, the court, if satisfied that the petitioner has a direct and proper interest in the record, shall make an order authorizing and directing the inspection of the record specified in the petition.

**432.135 Acceptance of delayed or altered certificates.** The acceptance for filing of any certificate by the State Registrar more than six months after the time prescribed for its filing, and any alterations of such certificate after it is filed with the State Registrar, shall be subject to regulations in which the board shall prescribe in detail the proofs to be submitted by any applicant for delayed filing or an alteration of a certificate, or to the order of the county court or any other court of competent jurisdiction.

**432.140 Procedure in filing delayed or altered certificates.** (1) Certificates accepted subsequent to six months after the time prescribed for filing, and certificates which have been altered after being filed with the State Registrar, shall contain the date of the delayed filing and the date of the alteration and be marked distinctly "Delayed" or "Altered."

(2) After a certificate has been accepted for delayed filing or after the board has permitted an alteration of a certificate on file, the alteration shall be noted by the State Registrar on the certificate, together with a summary statement of the evidence submitted in support of the acceptance for delayed filing or the alteration.

(3) All the evidence affecting delayed certificates, or affecting the alteration of a certificate, after said certificate has been filed with the State Registrar, shall be returned to the person furnishing same.

**432.145 Fees for certified copies and search of files.** (1) The fee for making an abbreviated birth certificate is $1.

(2) The board may prescribe a fee not to exceed $1 for any search of the files and records, and when no certified copy is to be made it may prescribe a fee not to exceed $1 for each hour of search or fraction thereof in excess of one hour.

(3) The fee for a full certified copy of a vital statistics record is $2.

(4) The fee for a certified copy of a recorded court order registering an unrecorded birth under ORS 432.280, to be furnished by the clerk of the circuit court or the State Registrar, is $2. [Amended by 1957 c.339 §1]

**432.150 When certification exempt from fees.** (1) The board shall prescribe the conditions under which the State Registrar shall furnish, free of charge, a verification of a record for use of any public agency or in connection with a claim based upon war veterans' benefits, provided that a verification of a record for such use shall be supplied to the Veterans' Administration, to any county veterans' service officer or to the state office of veterans' affairs for use as evidence of such claim involving war veterans' benefits, upon the request of any war veteran or his duly appointed agent, any county veterans' service officer or the Director of Veterans' Affairs or other agency processing such claim. Data relating to war veterans, if requested by a county veterans' service officer or the Director of Veterans' Affairs, shall be forwarded to such service officer or to the Director of Veterans' Affairs, free of charge, by the State Registrar.

(2) The national office of vital statistics may obtain, without expense to the state, and without payment of fees, transcripts of the several types of certificates specified in this chapter. [Amended by 1957 c.185 §1]

**432.155 Accounting of fees.** The board shall keep a correct account of all fees received and shall turn the same over to the State Treasurer to be used by the board for administration of this chapter. The fees collected by cities and counties shall be paid into the treasury of the respective counties and cities.

**432.160 Alteration of certificates prohibited.** No unauthorized person shall wilfully make or alter any certificate provided for in this chapter, or another certified copy thereof, except in accordance with the provisions of this chapter.

**432.165 Records kept by supervisors of institutions.** All superintendents or managers or other persons in charge of hospitals, almshouses, lying-in or other institutions, public or private, including penal institutions, to which persons resort for treatment of disease or injury and childbirth, or are committed by process of law, shall make a record of all such statistical particulars relative to the inmates of their institutions as provided for by this chapter and subject to its limitations.

**432.170 to 432.200** [Reserved for expansion]

## RECORDS OF BIRTHS; CERTIFICATION OF UNRECORDED BIRTHS

**432.205 Compulsory registration of births.** (1) A certificate of every birth shall be filed with the local registrar of the registration district in which the birth occurred, within the time prescribed by the board, by either the physician or midwife in attendance at the birth or, if not so attended, by one of the parents; provided, that any birth certificate not containing the name of the father or on which the surname of the father is at variance with that of the child shall be filed with the board and not with the registrar of the district in which the birth occurred.

(2) If the mother is unmarried, the certificate of birth shall not show the name of the alleged father unless both the father and mother have filed an affidavit of paternity with the registrar.

**432.210 When local registrar must prepare birth certificate.** If neither of the parents of the newborn child, unattended by either physician or midwife, is able to prepare a birth certificate, the local registrar shall secure the necessary information for the preparation of a birth certificate from any person having knowledge of the birth.

**432.215 Supplementary report furnishing data omitted on original certificate.** The board shall prescribe by regulation the time within which a supplementary report furnishing information omitted on the original certificate may be returned for the purpose of completing the original certificate. Certificates of birth completed by a supplementary report shall not be considered as delayed or altered.

**432.220 Syphilis test to be recorded.** In reporting every birth and stillbirth physicians and others required to make such reports shall state on the certificate whether or not a test for syphilis has been made upon a specimen of blood taken from the woman who bore the child for which a birth or stillbirth certificate is filed, and the approximate date when the specimen was taken. In no event shall the birth certificate state the result of the test. If no specimen is taken the reason for failure to take it shall be stated on the certificate.

**432.225 to 432.250** [Reserved for expansion]

**432.255 Petition for certificate of unrecorded birth.** (1) Any person who is a resident of or who was born in this state and whose birth is not of record with the State Registrar or of public record in any state of the United States, may file a verified petition with the clerk of the circuit court of any county of this state setting forth as nearly as known to the petitioner:

(a) The time and place of his birth.

(b) The name and residence and birthplace of his father.

(c) The name and residence and birthplace and maiden name of his mother.

(d) That no public record of his birth exists.

(2) A like petition in regard to the birth of any person who is deceased or who is unable because of age or other disability to file a petition in his own behalf and who was at the time of death or is at the time of disability a resident of this state may be filed in like manner and with like effect by any person having an interest in the matter.

**432.260 Filing fees; forms.** A filing fee of $1 shall be paid to the clerk of the court at the time of the filing of a petition under ORS 432.255. Forms of petitions prepared by the Secretary of State shall be furnished the petitioner by the clerk of the court upon request without charge.

**432.265 Service on district attorney.** Prior to filing a petition under ORS 432.255 the petitioner shall serve upon the district attorney of the county wherein the petition is filed a copy of the petition and the district attorney shall accept service upon the original thereof.

**432.270 Hearing on petition.** At any time after five days after a petition under ORS 432.255 is served and filed, the petitioner may appear in person or by attorney before the court in which the petition is filed and present to the court such evidence as is available in support of the statements of the petition. The district attorney may appear at such hearing and examine witnesses produced and may submit proof in support of or in objection to the petition.

**432.275 Court's findings and orders.** Upon the hearing of the petition pursuant to ORS 432.270, the court, if satisfied that the facts therein stated are supported by substantial evidence, shall make findings

with respect to the time and place of the birth of the petitioner and his parents and shall order that such birth be registered with the State Registrar. Any change in the name of the petitioner between the time of birth and the time of filing of the petition shall not be cause for refusing to make such findings and order, but any change of name shall be noted in the findings.

**432.280 Registration of court order; evidentiary effect.** The order for the registration of such birth shall be properly signed in duplicate by the judge. One copy of the order shall be entered in the journal of the court; the other copy, bearing the seal of the court, shall be transmitted by the clerk to the State Registrar, who shall register the same in the records of the board. A certified copy of such record, when issued either by the clerk of the court or the State Registrar, shall be prima facie evidence in all courts and places of the facts stated therein.

**432.285 to 432.300** [Reserved for expansion]

## DEATH CERTIFICATES; BURIAL PERMITS

**432.305 Compulsory registration of deaths and stillbirths.** A certificate of every death or stillbirth shall be filed with the local registrar of the registration district in which the death or stillbirth occurred within three days after the death or stillbirth occurred, or if the place of death or stillbirth is not known then with the local registrar of the district in which the body is found within 24 hours after the finding of the body. In every instance a certificate shall be filed prior to interment, cremation, removal or other disposition of the body.

**432.310 Preparation of death or stillbirth certificate.** (1) The funeral director, or person acting as such, or the person in charge of interment, shall:

(a) Obtain and enter on the death or fetal death certificate the personal data required by the board from the person best qualified to supply them.

(b) Present the certificate of death to the physician last in attendance upon the deceased, or to the coroner or county or district medical investigator, whoever has jurisdiction of the death, in which event such party thereupon shall certify over his signature the cause of death to his best knowledge and belief. This certificate shall be the official death certificate.

(c) Present the fetal death certificate to the physician or other person in attendance at the delivery, for the certification of the fact of fetal death and the medical data pertaining to fetal death as the physician can furnish it in his professional capacity.

(2) If the death occurred without medical attendance, or if the physician in attendance dies or becomes unavailable before signing the certificate, the funeral director or person acting as such shall notify immediately the approximate local registrar of such death. When so notified, the registrar shall inform the local health officer or county or district medical investigator, whoever has jurisdiction of the death, and refer the case to him for immediate investigation and certification of the cause of death prior to issuing a permit for burial, cremation or other disposition of the body. [Amended by 1959 c.629 §32]

**Note:** The 1959 amendment to ORS 432.310 takes effect on January 1, 1961. Until January 1, 1961, ORS 432.310, 1957 Replacement Part, will remain in effect.

**432.315 Delayed determination of the cause of death.** If the cause of death cannot be determined within three days after death, the certification of the cause of death may be returned after the prescribed period; but the attending physician, coroner or county or district medical investigator, as the case may be, shall then notify in writing the local registrar of the registration district in which the death occurred of the reason for the delayed certification of the cause of death, in order that a permit for the disposition of the body may be issued. [Amended by 1959 c.629 §33]

**Note:** The 1959 amendment to ORS 432.315 takes effect on January 1, 1961. Until January 1, 1961, ORS 432.315, 1957 Replacement Part, will remain in effect.

**432.320 Necessity for permit before disposing of dead body.** When the death or stillbirth occurred within this state, or when a dead body is found within this state, the deceased, stillborn child or dead body shall not be interred, deposited in a vault or tomb, cremated or otherwise disposed of, or removed from any registration district, until a permit for burial, removal or other disposition has been issued by the local registrar.

**432.325 Foreign permits to be indorsed by registrar.** When the death or stillbirth occurred outside this state and the body is accompanied by a permit for burial, removal or other disposition issued in accordance with the law and the regulations of the board in force at the place where the death or stillbirth occurred, such permit is authority for the transportation of the body into or through this state, but before the interment, cremation or other disposal of the body within this state, such permit shall be indorsed by the local registrar, who shall keep an appropriate record thereof.

**432.330 Prerequisites for permit.** No permit for burial, cremation, removal or other disposition shall be issued by any local registrar until a certificate of death or stillbirth, as far as it can be completed under the circumstances of the case, has been filed with him, and until all the regulations of the board in respect to the issuance of such permit have been complied with. No permit shall be issued which would be contrary to the sanitary laws of this state.

**432.335 Return of original certificates to State Registrar.** The local registrars shall return all the original certificates filed with them to the State Registrar in accordance with the regulations of the board.

**432.340 Transportation without permit prohibited.** No person shall knowingly transport, carry or accept for transportation a dead body without an accompanying permit issued in accordance with the provisions of this chapter and the regulations of the board.

**432.345 Record, report and notice by seller of caskets.** Every person selling a casket shall:

(1) Keep a record showing the name and postoffice address of the purchaser, the name of the deceased and the date and place of death of the deceased; provided, that persons selling caskets only to dealers or undertakers need not keep such record. This record shall be open to inspection of the State Registrar at all times.

(2) Report, on the first day of each month, to the State Registrar, each sale for the preceding month, on a blank provided for that purpose.

(3) If he is a seller at retail and does not have charge of the disposition of the body, inclose within the casket a notice furnished by the State Registrar calling attention to the requirements of the law, a blank certificate of death and a copy of the rules and regulations of the board concerning the burial or other disposition of dead bodies.

**432.350 to 432.400** [Reserved for expansion]

## RECORDS OF MARRIAGES, DIVORCES, ADOPTIONS, LEGITIMATIONS, FOUNDLINGS

**432.405 Report of marriages and divorces.** The county clerk of each county shall report to the State Health Officer, not later than the tenth day of every month, the number of marriage licenses issued and the number of marriage contracts dissolved during the preceding month within such county, together with such facts relating thereto as may be provided for by blanks furnished to such clerk by the State Health Officer. These reports, so received, shall be filed, compiled and registered by the State Health Officer and shall become permanent public records.

**432.410** [Repealed by 1959 c.430 §5]

**432.415 Duties of State Registrar in recording adoptions.** (1) Upon receipt of the adoption report, the State Registrar shall, if the original birth certificate is of record in his office, prepare and file a supplementary certificate in accord with the adoption report in the new name of the adopted person without reference therein to such adoption or to the names of such person's natural parents, and with reference therein to the adoptive parents as the parents of such person.

(2) If the original birth certificate is of record with any local registrar, the State Registrar shall procure the same and shall prepare and file such supplementary certificate.

(3) If no certificate of the birth of such person is of record with the State Registrar or any local registrar, the State Registrar may nevertheless prepare and file such supplementary certificate.

(4) The State Registrar shall then inclose the original birth certificate and the adoption report in a sealed envelope and file the same in his office.

(5) Upon receipt of a certified copy of a court order of annulment of adoption, the State Registrar shall restore the original

certificate of birth to its original place in the files. [Amended by 1959 c.430 §2]

**432.420 Access to adoption records.** The documents sealed under ORS 432.415 may be opened by the State Registrar only upon an order of a court of competent jurisdiction. [Amended by 1957 c.193 §1]

**432.425 Issuance of new certificate for child whose parents intermarry after child's birth; access to evidence of legitimation or original certificate limited.** (1) In case of the marriage of the parents of any child after the birth of the child, the State Registrar, upon receipt of a certified copy of the marriage certificate of the parents, together with a statement of the husband acknowledging paternity, shall prepare a new certificate of birth in the new name of the child.

(2) The evidence upon which the new certificate was made, and the original certificate, shall be sealed and filed and may be opened only upon order of a court of competent jurisdiction. [Amended by 1955 c.680 §1]

**432.430 Registration of foundlings.** (1) A person who assumes the custody of a living child of unknown parentage shall report immediately, on a form to be approved by the board, to the local registrar of the registration district in which such custody is assumed, the following:

(a) Date of finding or assumption of custody.

(b) Place of finding or assumption of custody.

(c) Sex.

(d) Color or race.

(e) Approximate age.

(f) Name and address of the person or institution with whom the child has been placed for care, if any.

(g) Name given to the child by the finder or custodian.

(2) The place where the child was found or custody has been assumed shall be known as the place of birth, and the date of birth shall be determined by approximation.

(3) The foundling report shall constitute the certificate of birth for such foundling child and the provisions of this chapter relating to certificates of birth shall apply in the same manner and with the same effect to such report.

(4) If a foundling child shall later be identified and a regular certificate of birth be found or obtained, the report constituting the certificate of birth shall be sealed and filed and may be opened only upon order of a court of competent jurisdiction.

**432.435 to 432.985** [Reserved for expansion]

## PENALTIES

**432.990 Penalties.** (1) Except as otherwise provided in this section, violation of any of the provisions of this chapter other than ORS 432.220 to 432.280 is punishable, upon conviction, by a fine of not more than $100.

(2) Violation of ORS 432.160 is punishable, upon conviction, by a fine of not more than $1,000 or imprisonment not exceeding six months, or both.

(3) Violation of ORS 432.340 is punishable, upon conviction, by a fine of not more than $500.

### CERTIFICATE OF LEGISLATIVE COUNSEL

Pursuant to ORS 173.170, I, Sam R. Haley, Legislative Counsel, do hereby certify that I have compared each section printed in this chapter with the original section in the enrolled bill, and that the sections in this chapter are correct copies of the enrolled sections, with the exception of the changes in form permitted by ORS 173.160 and other changes specifically authorized by law.

Done at Salem, Oregon,
on November 1, 1959.

Sam R. Haley
Legislative Counsel