Chapter 432

1981 REPLACEMENT PART

Vital Statistics

VITAL AND PUBLIC HEALTH STATISTICS SYSTEM; STATE, COUNTY AND LOCAL REGISTRARS

432.005 Definitions
432.010 Bureau of Vital Statistics; vital statistics system
432.015 Regulations and enforcement
432.020 State Registrar; appointment
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 Fees for certificates
432.050 Procedure for payment of compensation
432.060 Records of mortality and morbidity studies confidential; exceptions; nonliability of informants

GENERAL PROVISIONS ON CERTIFICATION AND RECORDS; FEES

432.105 Procedure for transmitting and filing certificates
432.115 Issuance of certified copies; limitations
432.119 Abstracts of birth and death certificates as public records; 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
432.150 When certification exempt from fees
432.165 Records kept by supervisors of institutions
432.175 Vital statistics certificates and copies as evidence; admissibility of delayed or altered certificates

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
432.290 Amendment of birth certificate because of change in legal sex

DEATH CERTIFICATES; BURIAL PERMITS

432.307 Compulsory filing of death certificates; persons required to file
432.317 Report of funeral director; effect of report; permits required
432.327 Authority to grant extensions on certificates and permits
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

Death, determination, criteria, 146 001
Notifying Secretary of State monthly of deaths for purposes of purging election registration lists, 247 570

432.010

Mental Health Division, statistical functions, 430.021
State administrative agencies, Ch 182

432.020

Compensation of State Registrar, applicability of State Personnel Relations Law, 240.235

432.060

Public records generally, Ch 192

432.150

"War veteran" defined, 174 105

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

432.307

Chiropractors may sign birth and death certificates, 684 030
Motor vehicle accident death certificates, transmittal to division, 483 608

Naturopaths may sign birth and death certificates, 685 050

432.317
Grounds for denial or suspension of licenses of funeral directors or embalmers, 692 180

432.415
Adoption report form, 109 400

432.420
Adoption procedure, 109 310
Court records in adoption cases, 7 211

VITAL AND PUBLIC HEALTH STATISTICS SYSTEM; STATE, COUNTY AND LOCAL REGISTRARS

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

(1) "Assistant Director" means the Assistant Director for Health.

(2) "Division" means the Health Division of the Department of Human Resources.

(3) "State Registrar" means the State Registrar of Vital Statistics. [Subsections (1) and (2) enacted as 1973 c 829 §15]

432.010 Bureau of Vital Statistics; vital statistics system. The Health Division 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 division.

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

432.015 Regulations and enforcement. The Health Division shall:

(1) In compliance with ORS 183.310 to 183.550, make, amend and promulgate regulations necessary to the installation and efficient performance of an adequate system of vital and public health statistics, and give instructions and prescribe forms for collecting, transcribing, compiling and preserving vital and public health statistics.

(2) Enforce this chapter and the regulations made pursuant thereto. [Amended by 1961 c 191 §4]

432.020 State Registrar; appointment. The Assistant Director for Health shall appoint a State Registrar of Vital Statistics who shall qualify in accordance with standards of education and experience as the assistant director shall determine. [Amended by 1973 c 829 §34]

432.025 Assistant state registrars. The division 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 Assistant Director for Health, 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 division may prescribe.

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

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

(5) May investigate in behalf of the division all cases of irregularity or of violation of this chapter and of any regulations of the division. [Amended by 1975 c 605 §22]

432.035 County and local registrars. The division 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 division 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 division.

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

432.045 Fees for certificates. The division may set the amount of the fees to be paid to each county or local registrar for every birth, death or fetal death certificate properly completed and received by the State Registrar in accordance with the regulation of the division, and for each report that no birth, death or fetal death was registered in a calendar month, provided that such amount does not exceed $1 per certificate or report. [Amended by 1971 c 16 §1]

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 [Repealed by 1973 c 829 §71]

432.060 Records of mortality and morbidity studies confidential; exceptions; nonliability of informants. (1) All records of interviews, reports, studies, and statements procured by or furnished to the Health Division, any federal health agency or any nonprofit health agency that is exempt from taxation under the laws of this state or procured by any agency, organization or person acting jointly with or at the request of the division or health agency, in connection with special morbidity and mortality studies, are confidential in so far as the identity of an individual patient is concerned. Such records may be used soley for the purpose of the studies.

(2) The furnishing of morbidity and mortality information to the division or health agency, to its authorized representatives or to any other agency, organization or person cooperating in a special study, does not subject any hospital, sanitarium, rest home, nursing home or other organization or person furnishing such information to an action for damages.

(3) Subsection (1) of this section does not prevent the division or a health agency from publishing:

(a) Statistical compilations and reports relating to special morbidity and mortality studies, if such compilations and reports do not identify individual cases and sources of information.

(b) General morbidity and mortality studies customarily and continuously conducted by the division or health agency that do not involve patient identification. [1961 c 191 §§2, 3]

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 and each birth certificate. The abstract of death shall contain as a minimum the full name of the decedent, the place and date of death and the name of his spouse, if any. The abstract of birth shall contain, as a minimum, the full names of the child and parents, sex of the child, the place and date of birth and the residence address of the parents. 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. [Amended by 1973 c 829 §35]

432.110 [Repealed by 1971 c 16 §3]

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.

432.119 Abstracts of birth and death certificates as public records; limitations. (1) Abstracts of birth and death certificates as provided in ORS 432.105 are public records and open to public inspection except as provided in this section. The county registrar shall mark the abstract of birth in a manner designated by the state registrar to indicate that the record is not to be used by any person compiling a list for publication or a business contact list under the following conditions:

(a) If a birth certificate indicates that a mental, physical or social problem may exist, including, but not limited to:

(A) The fetus was dead at time of delivery.

(B) The father of the child is not identified or the surname of the father is at variance with that of the child.

(C) The infant dies after birth.

(D) Congenital malformation is reported.

(E) Maternal disability or death is indicated.

(b) If the parent of the infant requests that the record not be made available for publication or business contact lists.

(2) The division or local health department, as provided in ORS 431.416, may use any birth record or abstract as a source of information for activities necessary for the preservation of health or prevention of disease. [1973 c 829 §11; 1979 c.426 §1]

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 division shall be furnished the petitioner without charge by the clerk of the court upon request. Upon hearing of such petition, 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 division 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 division 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. (1) The fee for a full certified copy of a vital statistics record or for an abbreviated birth or death certificate shall not exceed $5.

(2) The fee for any search of the files and records shall not exceed $5. The fee shall include the issuing when requested of one certified copy or abbreviated certificate.

(3) 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, shall not exceed $5.

(4) Overpayment of a required fee received in the office of the State Registrar shall be refunded if in excess of $3 and any overpayment less than $3 shall be refunded upon written request of the applicant within one year.

(5) A fee of $5 shall be paid to the State Registrar for the preparation of a new or supplementary birth certificate under the provisions of ORS 33.430, 432.415 and 432.425. The fee shall include one certified copy of the new or supplementary birth certificate.

(6) All fees collected under this chapter shall be deposited in the Health Division Account to be used for expenses of the division. [Amended by 1957 c 339 §1, 1971 c 16 §2, 1979 c 696 §1]

432.150 When certification exempt from fees. (1) The division 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 [Repealed by 1979 c 696 §14]

432.160 [Repealed by 1971 c 743 §432]

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.

432.175 Vital statistics certificates and copies as evidence; admissibility of delayed or altered certificates. (1) Each certificate provided for in this chapter, filed within six months after the time prescribed for its filing, shall be prima facie evidence of the facts stated. Data pertaining to the father of a child are evidence if the alleged father is, or becomes, the husband of the mother in a legal marriage. If not, the data pertaining to the father are not evidence in any civil or criminal proceeding adverse to the interests of the alleged father, his heirs, devisees or other successors in interest, if the paternity is controverted.

(2) The contents, or part of the contents, and the due execution of any certificate on file in the Bureau of Vital Statistics, may be evidenced by a copy of the material in the certificate, as certified by the State Registrar of Vital Statistics. The certified copies shall be admitted as evidence the same as the originals.

(3) The admissibility in evidence of a "delayed" or "altered" certificate, as defined in ORS 432.140, shall be subject to the discretion of the court, judicial or administrative body or official to whom that certificate is offered. [Formerly 43 380]

Note: 432 175 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 432 or any series therein by legislative action See the preface to Oregon Revised Statutes for further explanation

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 division, 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, at the request of the mother, may be filed with the division 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. [Amended by 1979 c 426 §2]

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 division 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.

432.255 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 State Registrar of Vital Statistics shall be furnished the petitioner by the clerk of the court upon request without charge. [Amended by 1981 c 6 §1]

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 division. 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.

432.290 Amendment of birth certificate because of change in legal sex. (1) The State Registrar shall amend the birth certificate of a person if:

(a) The State Registrar receives a certified copy of a court order issued pursuant to ORS 33.460 that changes the legal sex of the person; and

(b) The person was born in this state.

(2) Under subsection (1) of this section, the State Registrar shall amend the person's birth certificate to show:

(a) The legal sex of the person; and

(b) If applicable, the change of name of the person pursuant to ORS 33.410 and 33.420.

(3) The Health Division shall prescribe by rule the manner of and procedure for amending a birth certificate under this section. [1981 c 221 §3]

432.305 [Repealed by 1963 c 200 §6]

DEATH CERTIFICATES; BURIAL PERMITS

432.307 Compulsory filing of death certificates; persons required to file. (1) A certificate of death or fetal death for each death or fetal death which occurs in this state shall be filed with the district registrar of the district in which death or fetal death occurred within five days after such death.

(a) If the place of death or fetal death is unknown, a certificate shall be filed in the registration district in which the dead body or fetus is found.

(b) If death or fetal death occurs in a moving conveyance, a certificate shall be filed in the registration district in which the dead body or fetus was first removed from such conveyance.

(2) The funeral director or person acting as such who first assumes possession of the dead body shall be responsible for preparing and filing the death certificate. He shall obtain the personal data from the next of kin or the best qualified person or source available, and he shall obtain the medical certification of cause of death from the physician who last attended the deceased or such other person having jurisdiction in the matter as provided in subsection (5) of this section.

(3) When a fetal death occurs, the fetal death certificate shall be prepared and filed by one of the following in the order indicated:

(a) The funeral director or person acting as such who first assumes possession of the fetus. He shall obtain the personal data from the best qualified person or source available, and shall obtain the medical certification of cause of death from the person responsible therefor.

(b) The person in charge of the institution where delivery occurred or his authorized representative. He shall obtain the personal data and the medical certification of cause of death from the best qualified person or source available.

(c) The physician or other person who attended the mother at or immediately after the delivery

(4) The medical certification of the death or fetal death certificate shall be completed and signed within 72 hours after death by the physician in charge of the patient's care for the illness or condition which resulted in death, or, in case of a fetal death, by the physician who attended the mother except when inquiry is required by ORS chapter 146.

(5) When death or fetal death occurred without medical attendance, or when inquiry is required by ORS chapter 146, a medical examiner shall investigate the cause of death or fetal death and shall complete and sign the medical certification within 72 hours after death.

(6) When the physician is unable to sign the medical certification as provided in subsection (4) of this section, such physician, the funeral director or person acting as funeral director shall immediately notify the district medical examiner. [1963 c.200 §2, 1965 c 221 §26; 1977 c 582 §33]

432.310 [Amended by 1959 c 629 §32; repealed by 1963 c 200 §6]

432.315 [Amended by 1959 c 629 §33; repealed by 1963 c 200 §6]

432.317 Report of funeral director; effect of report; permits required. (1) The funeral director or person acting as funeral director who first assumes possession of a dead body or fetus shall make a written report to the registrar of the district in which death occurred or in which the body was found with-

in 24 hours after taking possession of the body or fetus on a form prescribed and furnished by the State Registrar and in accordance with regulations promulgated by the division. Except as specified in subsection (2) of this section, the written report shall serve as permit to transport, bury or entomb the body within this state, provided that the funeral director or person acting as such shall certify that the physician in charge of the patient's care for the illness or condition which resulted in death has been contacted and has affirmatively stated that he will sign the medical certification of the death or fetal death certificate.

(2) The written report as specified in subsection (1) of this section shall not serve as a permit to:

(a) Remove a body or fetus from this state.

(b) Cremate the body or fetus.

(c) Make disposal or disposition of any body or fetus in any manner when inquiry is required under ORS chapter 146.

(3) In accordance with the provisions of subsection (2) of this section, the funeral director or person acting as funeral director who first assumes possession of a dead body or fetus shall obtain a permit for disposal of human remains prior to final disposal or removal from the state of the body or fetus. Such permit shall be issued by the registrar of the district where death occurred or the body was found. No permit for disposal of human remains shall be issued by any registrar until a certificate of death or fetal death, as far as it can be completed under the circumstances of the case, has been filed with him.

(4) A permit issued under the laws of another state which accompanies a dead body or fetus brought into this state shall be authority for final disposition of the body or fetus in this state.

(5) A permit for disposal shall not be required in the case of fetal deaths where disposal of the fetal remains is made within the institution where the delivery took place and where a physician has affirmatively stated to the person in charge of the disposition of the fetus that he will sign the fetal death record.

(6) A permit for disinterment and reinterment shall be required prior to disinterment of a dead body or fetus except as authorized by regulation or otherwise provided by law. Such permit shall be issued by the State Registrar to a licensed funeral director, embalmer or other person acting as such upon proper application. [1963 c.200 §3]

432.320 [Repealed by 1963 c.200 §6]

432.325 [Repealed by 1963 c 200 §6]

432.327 Authority to grant extensions on certificates and permits. The division may, by regulation and upon such conditions as it may prescribe to assure compliance with the purposes of the Vital Statistics Act, provide for the extension, not to exceed 60 days of the periods prescribed in ORS 432.307 and 432.317 for the filing of death and fetal death certificates, medical certifications of cause of death, and for the obtaining of permits for disposition of human remains in cases which compliance with the applicable prescribed period would result in undue hardship. [1963 c 200 §4]

432.330 [Repealed by 1963 c 200 §6]

432.335 [Repealed by 1963 c 200 §6]

432.340 [Repealed by 1963 c.200 §6]

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

(1) Keep a record showing the name and post-office 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 division concerning the burial or other disposition of dead bodies.

RECORDS OF MARRIAGES, DIVORCES, ADOPTIONS, LEGITIMATIONS, FOUNDLINGS

432.405 Report of marriages and divorces. The county clerk of each county shall report to the Assistant Director for

Health, not later than the 10th 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 Assistant Director for Health. These reports, so received, shall be filed, compiled and registered by the Assistant Director for Health 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 division, 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.

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 432.317 is punishable, upon conviction, by a fine of not more than $500. [Amended by 1963 c 200 §5; 1971 c.743 §369]