

(S. B. 1088)
(Conference)

(No. 157)

(Approved August 10, 2006)

AN ACT

To repeal the current text of Section 18-A of Act No. 24 of April 22, 1931, as amended, known as the “Vital Statistics Registry Act of Puerto Rico,” and substitute it with new text for the purpose of establishing the order of the persons that are compelled to appear to furnish information for the registration of births at the Vital Statistics Registry.

STATEMENT OF MOTIVES

This Legislature, in its effort to protect the children of Puerto Rico, deems it necessary that the registration of their birth to be made compulsory even if the parents do not appear at the Vital Statistics Registry to submit the necessary information.

Act No. 24 of April 22, 1931, as amended, known as the “Vital Statistics Registry Act of Puerto Rico,” creates the General Registry of Vital Statistics of Puerto Rico, which shall be at the Demographics and Vital Statistics Division of the Department of Health of Puerto Rico.

It shall be in charge, among others, of the registration of births, marriages and deaths that occur in Puerto Rico and shall ensure that they are registered in each primary registration district and in the Demographics and Vital Statistics Division of the Department of Health of Puerto Rico. The Secretary of Health shall ensure compliance and uniform application thereof throughout the Commonwealth of Puerto Rico, including the adjacent islands of Culebra and Vieques; he/she shall recommend, from time to time, additional legislation needed for this purpose and shall promulgate rules and regulations that are not in conflict with the provisions of

this part, and which are necessary to complement the provisions thereof. Said regulations shall have the force of law upon their approval and promulgation by the Governor of Puerto Rico.

Section 17 of this Act establishes that within a period of ten (10) days counting from the date on which the birth of a human being has occurred, the declaration thereof shall be made before any officer of the Vital Statistics Registry to whom a birth certificate shall be delivered for its registration. When the declaration is made in a municipality other than that in which the birth occurred, it is the obligation of the Demographics and Vital Statistics Division of the Department of Health of Puerto Rico to send said declaration to the officer of the Vital Statistics Registry of the municipality where the birth occurred within five (5) days following the date of its receipt for its recording in the proper local registry.

On the other hand, Section 18 of this Act provides that the following are compelled to make such declaration in the following order: the administrator or director of the institution when it occurs in a hospital, sanatorium, asylum, penitentiary or any other public or private institution established in Puerto Rico, and when the birth occurs outside of institution, it shall then be the duty of the doctor or midwife who assisted the childbirth, any other person who witnessed it, the father, if it is a legitimate child or an illegitimate child he wishes to recognize; the mother; the next of kin, provided he/she is of legal age and with respect to abandoned newly-born children, the person giving them shelter.

It is obvious that in the law there is an obligation to register all the births that occur in our Island. Therefore, the family group living in Fajardo that has failed to comply with its duty to register the births that have occurred therein, is violating this requirement. Furthermore, it has been known through the news media that not only have the children not been registered, but have also not been vaccinated and are under home schooling.

This Legislature seeks, with the approval of this measure upon hospitals and other institutions to enforce the obligation to register births.

BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:

Section 1.- Section 18-A of Act No. 24 of April 22, 1931, as amended, is hereby repealed and substituted by new text to read as follows:

“Section 18-A.- Persons Compelled to Appear for a Birth to be Registered

The following persons are compelled to appear before the Registrar of Vital Statistics to furnish the information needed to complete the registration of the birth in the order that shall be indicated, and if one of them is unable to do so for a legitimate reason, it shall be furnished by the following one:

- (a) The father,
- (b) The mother,
- (c) Both parents when recognition of parenthood is required,
- (d) The next of kin, provided that he/she is of legal age,
- (3) The legal guardian,
- (4) The officials of the Department of the Family, when said agency has custody of the minor.

This shall be a legal obligation that is not subject to the consent of the family when the application for the registration of the birth arises from a relative, legal guardian or the Department of the Family. The Secretary of Health shall determine by regulation the sanctions to be applied to any of the persons, in that order of obligation, that do not comply with the obligation to register the birth.

Section 2.- This Act shall take effect immediately after its approval.

CERTIFICATION

I hereby certify to the Secretary of State that the following Act No. 157 (H.B. 1088) (Conference) of the 3th Session of the 15th Legislature of Puerto Rico:

AN ACT to repeal the current text of Section 18-A of Act No. 24 of April 22, 1931, as amended, known as the “Vital Statistics Registry Act of Puerto Rico,” and substitute it with new text for the purpose of establishing the order of the persons that are compelled to appear to furnish information for the registration of births at the Vital Statistics Registry,

has been translated from Spanish to English and that the English version is correct.

In San Juan, Puerto Rico, today 22nd of December of 2006.

Francisco J. Domenech
Director