

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO
SENATE, No. 1066

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 16, 2016

The Senate Health, Human Services and Senior Citizens Committee reports favorably and with committee amendments Senate Bill No. 1066.

As amended by the committee, this bill would authorize the filing of a child's birth certificate to be delayed on the basis of the parent's religious beliefs. Current law requires a birth certificate to be filed within five days after the child's date of birth. However, in the Jewish faith, the naming of a child does not occur until a bris is performed, and a bris is normally performed on the eighth day following birth. Thus, under existing law, a birth certificate must be filed prior to the time when a Jewish child is named. This bill, therefore, would provide for an extension of the ordinary five-day timeframe in those cases where such extension is necessary, for religious reasons, to allow for the naming of the child.

In particular, the bill would provide that, notwithstanding the provisions of existing law to the contrary, the filing of a child's birth certificate may be delayed, based on the parent's religious beliefs, until such time as the child is named. However, the bill would specify that no such delay may result in the filing of the birth certificate more than 15 days after the child's date of birth.

Any parent whose religious beliefs necessitate a delay in the filing of a birth certificate pursuant to the bills' provisions, would be required to: (1) provide notice of the religious need for a filing delay, within five days after the child's date of birth, to the person who is responsible for filing the birth certificate, unless the parent is responsible for such filing, in which case, no such notice would be required; and (2) file the child's birth certificate, or authorize such filing by the person responsible therefor, as soon as possible after the child is named, but in no case more than 15 days after the child's birth. If the child is not named by the conclusion of this 15-day extended timeframe, the bill would require the birth certificate to be filed nonetheless, and the naming procedure outlined in R.S.26:8-34 to be applied. That naming procedure requires the local registrar to provide

the parents with a special blank for the supplemental report of the child's given name.

The committee amended the bill to make a technical change to correct a citation.