

ENROLLED ORIGINAL

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

*Codification
District of
Columbia
Official Code*

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To amend the Vital Records Act of 1981 to provide that the surname of the child shall be the surname of the mother at the time of birth, the surname of the father at the time of birth, or both, recorded in any order or in hyphenated or unhyphenated form, or any surname to which either the mother or father has a familial connection, to require the mother or father to submit an affidavit clearly stating the familial connection to a chosen surname that is not that of the mother or father, or a combination of all or part of both surnames, to provide a penalty for submitting an affidavit containing false information, and to replace references to the Department of Human Services with references to the Department of Health.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Surname Choice Amendment Act of 2002".

Sec. 2. The Vital Records Act of 1981, effective October 8, 1981 (D.C. Law 4-34; D.C. Official Code § 7-201 *et seq.*), is amended as follows:

(a) Section 2(12) (D.C. Official Code § 7-201(12)) is amended by striking the phrase "Department of Human Services" and inserting the phrase "Department of Health" in its place.

Amend
§ 7-201

(b) Section 4 (D.C. Official Code § 7-203) is amended by striking the phrase "Department of Human Services" and inserting the phrase "Department of Health" in its place.

Amend
§ 7-203

(c) Section 6(e) (D.C. Official Code § 7-205(e)) is amended as follows:

Amend
§ 7-205

(1) Paragraph (3) is amended by striking the phrase "certificate. In such cases, upon written request to the Registrar by both parents, the surname of the child shall be entered on the certificate as that of the father;" and inserting the phrase "certificate;" in its place.

(2) Paragraph (5) is amended to read as follows:

"(5) The surname of the child shall be the surname of the mother at the time of birth, the surname of the father at the time of birth, or both, recorded in any order or in hyphenated or unhyphenated form, or any surname to which either the mother or father has a familial connection. If the chosen surname is not that of the mother or father, or a combination of all or part of both surnames, the mother or father shall provide an affidavit stating that the chosen surname was or is the surname of a past or current relative or has some other clearly

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stated familial connection. Submission of an affidavit containing false information shall be punishable under section 26."

(d) Section 10(b) (D.C. Official Code § 7-209(b)) is amended by striking the phrase "The Department of Human Services" and inserting the phrase "The Department of Health" in its place.

**Amend
§ 7-209**

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia