**44:09:02:05.  Facts to be established for delayed birth certificate.** The minimum facts for a delayed birth certificate that must be established by documentary evidence are the following:

(1)  The full name of the person at the time of birth;

(2)  The month, day, and year of birth;

(3)  The state where the birth occurred;

(4)  The full maiden name of the mother; and

(5)  The full name of the father. However, if the mother was not married either at the time of conception or birth, the name of the father may not be entered on the delayed certificate unless paternity has been established.

**Source:** SL 1975, ch 16, § 1; 6 SDR 93, effective July 1, 1980; 24 SDR 60, effective November 13, 1997; 26 SDR 89, effective January 9, 2000; 31 SDR 213, effective July 4, 2005.

**General Authority:** SDCL 34-25-42.

**Law Implemented:** SDCL 34-25-13.1, 34-25-13.3, 34-25-15, 34-25-42.