

CHAPTER 33-04-07
DELAYED REGISTRATION OF DEATH

Section
33-04-07-01 General Provisions

33-04-07-01. General provisions. The registration of a death after the time prescribed by statute and regulations shall be registered on the standard record of death form in the manner prescribed below:

1. If the attending physician or coroner at the time of death and the attending funeral director or person who acted as such are available to complete and sign the record of death, it may be completed without additional evidence and filed with the state registrar. However, for those records filed one year or more after the date of death, the physician or coroner and the funeral director or person who acted as such must state in accompanying affidavits that the information on the record is based on records kept in their files.
2. In the absence of the attending physician or coroner and the funeral director or the person who acted as such, the record may be filed by the next of kin of the deceased and shall be accompanied by:
 - a. An affidavit of the person filing the record swearing to the accuracy of the information on the record.
 - b. Two documents which identify the deceased and the deceased's date and place of death.
3. In the case of presumptive death, a certified copy of a court decree finding that such death has occurred and the date of such death must be received by the state registrar before a death record can be filed.

In all cases the state registrar may require additional documentary evidence to prove the facts of death.

A summary statement of the evidence submitted in support of the delayed registration shall be endorsed on the record.

History: Amended effective January 1, 2008.
General Authority: NDCC 23-02.1-04, 28-32-02
Law Implemented: NDCC 23-02.1-19