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1 **HOUSE BILL NO. 756**

2 Offered January 14, 2026

3 Prefiled January 13, 2026

4 *A BILL to amend and reenact § 32.1-269.1 of the Code of Virginia, relating to amending death certificates;*
5 *petitions to the court to amend; service upon State Registrar of Vital Records.*

6 Patron—Runion

7 Committee Referral Pending

8 **Be it enacted by the General Assembly of Virginia:**9 **1. That § 32.1-269.1 of the Code of Virginia is amended and reenacted as follows:**10 **§ 32.1-269.1. Amending death certificates; change and correction of demographic information by affidavit or court order.**11 A. Notwithstanding § 32.1-276, a death certificate registered under this chapter may be amended only in
12 accordance with this section and such regulations as may be adopted by the Board to protect the integrity and
13 accuracy of such death certificate. Such regulations shall specify the minimum evidence required for a change
14 in any such death certificate.15 B. A death certificate that is amended under this section shall be marked "amended," and the date of
16 amendment and a summary description of the evidence submitted in support of the amendment shall be
17 endorsed on or made a part of the death certificate. The Board shall prescribe by regulation the conditions
18 under which omissions or errors on death certificates may be corrected.19 C. The State Registrar, upon receipt of an affidavit and supporting evidence testifying to corrected
20 information on a death certificate within 45 days of the filing of a death certificate, shall amend such death
21 certificate to reflect the new information and evidence.22 D. The State Registrar, upon receipt of an affidavit and supporting evidence testifying to corrected
23 information on a death certificate more than 45 days after the filing of a death certificate, including the
24 correct spelling of the name of the deceased, the deceased's parent or spouse, or the informant; the sex, age,
25 race, date of birth, place of birth, citizenship, social security number, education, occupation or kind or type of
26 business, military status, or date of death of the deceased; the place of residence of the deceased, if located
27 within the Commonwealth; the name of the institution; the county, city, or town where the death occurred; or
28 the street or place where the death occurred, shall amend such death certificate to reflect the new information
29 and evidence.30 E. For death certificate amendments received more than 45 days after the filing of a death certificate,
31 other than the correction of information by the State Registrar pursuant to subsection D, the surviving spouse
32 or immediate family, as defined by the regulations of the Board, of the deceased; attending funeral service
33 licensee; or other reporting source may file a petition with the circuit court of the county or city in which the
34 decedent resided as of the date of his death, or the Circuit Court of the City of Richmond, requesting an order
35 to amend a death certificate, along with an affidavit sworn to under oath that supports such request. A copy of
36 the petition shall be served upon (i) the State Registrar pursuant to Chapter 8 (§ 8.01-285 et seq.) of Title 8.01
37 and (ii) any person listed as an informant on the death certificate, unless such person provides an affidavit in
38 support of such petition. The clerk shall submit such petition and any evidence received with the petition to
39 the judge for entry of an order without the necessity of a hearing, unless the judge decides a hearing is
40 necessary. The clerk shall transmit a certified copy of the court's order to the State Registrar, who shall
41 amend such death certificate in accordance with the order. The matters for which a petition may be filed
42 include changing the name of the deceased, the deceased's parent or spouse, or the informant; the marital
43 status of the deceased; or the place of residence of the deceased, when the place of residence is outside the
44 Commonwealth.45 F. When an applicant, as defined by the regulations of the Board, does not submit the minimum
46 documentation required by regulation to amend a death certificate or when the State Registrar finds reason to
47 question the validity or sufficiency of the evidence, the death certificate shall not be amended and the State
48 Registrar shall so advise the applicant. An aggrieved applicant may petition the circuit court of the county or
49 city in which he resides, or the Circuit Court of the City of Richmond, for an order compelling the State
50 Registrar to amend the death certificate; an aggrieved applicant who is currently residing out of state may
51 petition any circuit court in the Commonwealth for such an order. A copy of the petition shall be served upon
52 (i) the State Registrar pursuant to Chapter 8 (§ 8.01-285 et seq.) of Title 8.01 and (ii) any person listed as an
53 informant on the death certificate, unless such person provides an affidavit in support of such petition. The
54 clerk shall submit such petition and any evidence received with the petition to the judge for entry of an order
55 without the necessity of a hearing, unless the judge decides a hearing is necessary. The State Registrar or his
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59 authorized representative may appear and testify in such proceeding. The clerk shall transmit a certified copy
60 of the court's order to the State Registrar, who shall amend such death certificate in accordance with the
61 order.