

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 474 Session of  
2011

INTRODUCED BY COX, METCALFE, KNOWLES, BOYD, CLYMER, CREIGHTON,  
GABLER, GEIST, HARRIS, KAUFFMAN, MILLER, O'NEILL, PYLE, ROCK  
AND SCHRODER, MARCH 1, 2011

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MARCH 1, 2011

AN ACT

1 Authorizing the Commonwealth of Pennsylvania to join the  
2 Interstate Compact on Birth Certificates Issued to Aliens Not  
3 Subject to United States Jurisdiction; providing for the form  
4 of the compact; and imposing additional powers and duties on  
5 the Governor, the Secretary of the Commonwealth and the  
6 Compact.

7 The General Assembly of the Commonwealth of Pennsylvania  
8 hereby enacts as follows:

9 Section 1. Short title.

10 This act shall be known and may be cited as the Interstate  
11 Compact.

12 Section 2. Authority to execute compact.

13 The Governor of Pennsylvania, on behalf of this State, is  
14 hereby directed and authorized to execute a compact in  
15 substantially the following form with any one or more of the  
16 states of the United States, and the General Assembly hereby  
17 signifies in advance its approval and ratification of such  
18 compact:

19 Interstate Compact on Birth Certificates Issued to Aliens

1 Not Subject to United States Jurisdiction

2 (a) Signatories.--The signatories to this compact shall make  
3 a distinction in the birth certificates, certifications of live  
4 birth or other birth records issued in the signatory states,  
5 between persons born in the signatory state who are born subject  
6 to the jurisdiction of the United States and persons who are not  
7 born subject to the jurisdiction of the United States. Persons  
8 born subject to the jurisdiction of the United States shall be  
9 designated as natural-born United States citizens.

10 (b) Construction.--Subject to the jurisdiction of the United  
11 States has the meaning that it bears in section 1 of the 14th  
12 Amendment to the Constitution of the United States, namely, that  
13 the person is a child of at least one parent who owes no  
14 allegiance to any foreign sovereignty or a child without  
15 citizenship or nationality in any foreign country. For the  
16 purposes of this compact, a person who owes no allegiance to any  
17 foreign sovereignty is a United States citizen or national, or  
18 an immigrant accorded the privilege of residing permanently in  
19 the United States, or a person without citizenship or  
20 nationality in any foreign country.

21 (c) Congress.--This compact shall not take effect until  
22 Congress has given its consent under clause 3 of section 10 of  
23 Article I of the Constitution of the United States.  
24 Section 3. When and how compact becomes operative.

25 (a) General rule.--When the Governor executes the Interstate  
26 Compact on behalf of this State and files a verified copy  
27 thereof with the Secretary of the Commonwealth and when the  
28 compact is ratified by one or more other states, then the  
29 compact shall become operative and effective between this State  
30 and such other state or states. The Governor is hereby

1 authorized and directed to take such action as may be necessary  
2 to complete the exchange of official documents between this  
3 State and any other state ratifying the compact.

4 (b) Notice in Pennsylvania Bulletin.--The Secretary of the  
5 Commonwealth shall publish a notice in the Pennsylvania Bulletin  
6 when the conditions set forth in subsection (a) are satisfied  
7 and shall include in the notice the date on which the compact  
8 became effective and operative between this State and any other  
9 state or states in accordance with this act.

10 Section 4. Compensation and expenses of compact administrator.

11 The compact administrator who represents this State shall not  
12 be entitled to any additional compensation for his duties and  
13 responsibilities as compact administrator but shall be entitled  
14 to reimbursement for reasonable expenses actually incurred in  
15 connection with his duties and responsibilities as compact  
16 administrator in the same manner as for expenses incurred in  
17 connection with other duties and responsibilities of his office  
18 or employment.

19 Section 5. Effective date.

20 This act shall take effect in 60 days.