

**Birth Certificates:**

Birth certificates will be processed, to same sex-couples to whom a child was born in Texas when one spouse is the birth mother, if the parents were legally married in Texas or another state at the time of the child's birth, and provide standard documentation required for birth certificate issuance.

Birth certificate amendments will be processed, upon request, for same-sex couples to whom a child was born in Texas when one spouse is the birth mother, if the parents were legally married prior to the birth of their child. Standard documentation, including verification of marriage, will be required. An informal marriage may be documented for purposes of amending a vital record by a properly filed informal marriage declaration or a court order establishing an informal marriage.

This does not include adoptions or gestational agreements (surrogate birth), which are referenced below.

**Death Certificates:**

Death certificates will be processed and issued/amended to include the name of a decedent's same-sex surviving spouse, when the death occurred in Texas on or after June 26, 2015 for same-sex couples that were legally married in Texas or another state, at the time of the decedent's death. Documentation must be provided to this effect, along with other standard documentation required for issuance/amendment of a death certificate.

For decedents who died in Texas prior to June 26, 2015, an amendment to the death certificate, as requested, will be processed recognizing any legal, same-sex marriage at the time of death, for same-sex marriages that occurred in another state prior to June 26, 2015, to list the surviving spouse and the decedent's status as "married." Documentation must be provided to this effect, along with other standard documentation required for an amendment to a death certificate.

An informal marriage may be documented for purposes of amending a vital record by a properly filed informal marriage declaration or a court order adjudicating an informal marriage has been established.

**Adoptions:**

For any adoption ordered on or after June 26, 2015, supplementary birth certificates for children born in Texas will be issued/amended for the adopted child to include same-sex couples whose names are listed on the court order or formal certificate of adoption as the adoptive parents. Documentation must be provided to this effect, along with other standard documentation required for issuance/amendment of a supplementary birth certificate for an adoption.

For adoptions ordered prior to June 26, 2015, amendments to supplementary birth certificates previously issued, will be processed and issued, as requested, to list the names of both persons of the same-sex couple if both are named as parents in the court ordered adoption. Documentation must be provided to this effect, along with other standard documentation required for issuance of an amendment to a supplementary birth certificate for an adoption.

**Gestational Agreements (Surrogacy):**

Birth certificates will be processed and issued/amended for any births occurring in Texas, for which persons that are a same-sex couple are legally authorized to be the intended parents of the child as

authorized by Texas Family Code, ch. 160, subchapter I. Documentation must be provided to this effect, along with other standard documentation required for issuance/amendment of records for these vital events.

**Burial Permits and Disinterment:**

These forms remain unchanged and will continue to be processed as received.

**Divorce and other Vital Events/Records not listed above:**

Any additional requests that are received that are not listed above and involve the recording of vital events through vital records will be reviewed and processed to ensure compliance with *Obergefell* and *DeLeon*.