

FIRST REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 1135

100TH GENERAL ASSEMBLY

2360H.04P

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 193.265, RSMo, and to enact in lieu thereof one new section relating to vital records.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 193.265, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 193.265, to read as follows:

193.265. 1. For the issuance of a certification or copy of a death record, the applicant shall pay a fee of thirteen dollars for the first certification or copy and a fee of ten dollars for each additional copy ordered at that time. For the issuance of a certification or copy of a birth, marriage, divorce, or fetal death record, the applicant shall pay a fee of fifteen dollars. No fee shall be required or collected for a certification of birth, death, or marriage if the request for certification is made by the children's division, the division of youth services, a guardian ad litem, **a parent or guardian of a homeless child or homeless youth as defined in subsection 1 of section 167.020, an unaccompanied youth as defined in 42 U.S.C. Section 11434a(6)**, or a juvenile officer on behalf of a child or person under twenty-one years of age who has come under the jurisdiction of the juvenile court under section 211.031. All fees shall be deposited to the state department of revenue. Beginning August 28, 2004, for each vital records fee collected, the director of revenue shall credit four dollars to the general revenue fund, five dollars to the children's trust fund, one dollar shall be credited to the endowed care cemetery audit fund, and three dollars for the first copy of death records and five dollars for birth, marriage, divorce, and fetal death records shall be credited to the Missouri public services health fund established in section 192.900. Money in the endowed care cemetery audit fund shall be available by appropriation to the division of professional registration to pay its expenses in administering

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 sections 214.270 to 214.410. All interest earned on money deposited in the endowed care
19 cemetery audit fund shall be credited to the endowed care cemetery fund. Notwithstanding the
20 provisions of section 33.080 to the contrary, money placed in the endowed care cemetery audit
21 fund shall not be transferred and placed to the credit of general revenue until the amount in the
22 fund at the end of the biennium exceeds three times the amount of the appropriation from the
23 endowed care cemetery audit fund for the preceding fiscal year. The money deposited in the
24 public health services fund under this section shall be deposited in a separate account in the fund,
25 and moneys in such account, upon appropriation, shall be used to automate and improve the state
26 vital records system, and develop and maintain an electronic birth and death registration system.
27 For any search of the files and records, when no record is found, the state shall be entitled to a
28 fee equal to the amount for a certification of a vital record for a five-year search to be paid by the
29 applicant. For the processing of each legitimation, adoption, court order or recording after the
30 registrant's twelfth birthday, the state shall be entitled to a fee equal to the amount for a
31 certification of a vital record. Except whenever a certified copy or copies of a vital record is
32 required to perfect any claim of any person on relief, or any dependent of any person who was
33 on relief for any claim upon the government of the state or United States, the state registrar shall,
34 upon request, furnish a certified copy or so many certified copies as are necessary, without any
35 fee or compensation therefor.

36 2. For the issuance of a certification of a death record by the local registrar, the applicant
37 shall pay a fee of thirteen dollars for the first certification or copy and a fee of ten dollars for each
38 additional copy ordered at that time. For the issuance of a certification or copy of a birth,
39 marriage, divorce, or fetal death record, the applicant shall pay a fee of fifteen dollars; except
40 that, in any county with a charter form of government and with more than six hundred thousand
41 but fewer than seven hundred thousand inhabitants, a donation of one dollar may be collected
42 by the local registrar over and above any fees required by law when a certification or copy of any
43 marriage license or birth certificate is provided, with such donations collected to be forwarded
44 monthly by the local registrar to the county treasurer of such county and the donations so
45 forwarded to be deposited by the county treasurer into the housing resource commission fund to
46 assist homeless families and provide financial assistance to organizations addressing
47 homelessness in such county. The local registrar shall include a check-off box on the application
48 form for such copies. All fees, other than the donations collected in any county with a charter
49 form of government and with more than six hundred thousand but fewer than seven hundred
50 thousand inhabitants for marriage licenses and birth certificates, shall be deposited to the official
51 city or county health agency. A certified copy of a death record by the local registrar can only
52 be issued within twenty-four hours of receipt of the record by the local registrar.
53 Computer-generated certifications of death records may be issued by the local registrar after

54 twenty-four hours of receipt of the records. The fees paid to the official county health agency
55 shall be retained by the local agency for local public health purposes.

56 **3. (1) Notwithstanding any provision of law, no fee shall be required or collected**
57 **for a certification of birth if the request is made by a victim of domestic violence or abuse,**
58 **as those terms are defined in section 455.010, and the victim provides documentation**
59 **signed by an employee, agent, or volunteer of a victim service provider, an attorney, or a**
60 **health care or mental health professional, from whom the victim has sought assistance**
61 **relating to the domestic violence or abuse. Such documentation shall state that, under**
62 **penalty of perjury, the employee, agent, or volunteer of a victim service provider, the**
63 **attorney, or the health care or mental health professional believes the victim has been**
64 **involved in an incident of domestic violence or abuse.**

65 **(2) A victim may only be eligible one time for a fee waiver under this subsection.**

66 **4. An unaccompanied youth as defined in 42 U.S.C. Section 11434a(6) shall be**
67 **eligible to receive a certification or copy of his or her own birth record without the consent**
68 **or signature of his or her parent or guardian.**

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