

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1665 Session of
1989

INTRODUCED BY PISTELLA, RITTER, SEMMEL, MORRIS, RYBAK,
VAN HORNE, MRKONIC, LEVDANSKY, KUKOVICH, GIGLIOTTI, STABACK,
CIVERA, BUNT, ROBINSON, GANNON, COHEN, VEON, BELARDI, MELIO,
MICHLOVIC, TRELLO, BATTISTO, ITKIN, KASUNIC, BELFANTI,
JOHNSON AND BISHOP, JUNE 7, 1989

AS REPORTED FROM COMMITTEE ON HEALTH AND WELFARE, HOUSE OF
REPRESENTATIVES, AS AMENDED, OCTOBER 17, 1989

AN ACT

1 Amending the act of June 29, 1953 (P.L.304, No.66), entitled "An
2 act providing for the administration of a statewide system of
3 vital statistics; prescribing the functions of the State
4 Department of Health, the State Advisory Health Board and
5 local registrars; imposing duties upon coroners,
6 prothonotaries, clerks of orphans' court, physicians,
7 midwives and other persons; requiring reports and
8 certificates for the registration of vital statistics;
9 regulating the disposition of dead bodies; limiting the
10 disclosure of records; prescribing the sufficiency of vital
11 statistics records as evidence; prescribing fees and
12 penalties; and revising and consolidating the laws relating
13 thereto," requiring Social Security numbers of parents on
14 birth certificates; AND PROVIDING FOR MISSING CHILDREN
15 REGISTRATION. <—

16 The General Assembly of the Commonwealth of Pennsylvania
17 hereby enacts as follows:

18 Section 1. Section 401 of the act of June 29, 1953 (P.L.304,
19 No.66), known as the Vital Statistics Law of 1953, is amended to
20 read:

21 Section 401. Birth Registration: General Provisions.--A
22 certificate of each birth occurring in this Commonwealth shall

1 be filed with the local registrar of the district in which the
2 birth occurs within a period prescribed by regulations of the
3 Advisory Health Board. The certificate shall be prepared, signed
4 and filed by the attending physician or licensed midwife, except
5 that when there is no attending physician or licensed midwife
6 the certificate shall be prepared, signed and filed (1) by the
7 father, or (2) in the event of his death, disability or absence,
8 by the mother, or (3) in the event of her death or disability,
9 by the householder of the premises or superintendent of the
10 institution in which the birth occurs, or (4) in the event of
11 the absence or disability of all persons heretofore named, then
12 by such person acquainted with the facts as the local registrar
13 shall designate. The Social Security number of each parent, if
14 ascertainable, shall be obtained and maintained separately by
15 the Department of Health in a fashion that permits routine,
16 screened inquiries. This information is considered confidential,
17 and is to be made available only to State and Federal agencies
18 responsible for establishing or enforcing child support orders.

19 Section 2. Section 403 of the act, added July 3, 1957
20 (P.L.443, No.247), is amended to read:

21 Section 403. Birth Registration: Children Born in a Country
22 Other Than the United States.--The department shall, upon
23 request, complete and register birth certificates for any child
24 born in a country other than the United States when either
25 parent is a citizen of the United States and a resident of the
26 Commonwealth of Pennsylvania. Such certificates shall show the
27 true country and date of birth, and that the certificate is not
28 evidence of the United States citizenship of the registrant. For
29 such registration the department shall require proof of parental
30 United States citizenship and of Pennsylvania residence. The

1 Social Security number of each parent, if ascertainable, is to
2 be recorded and maintained as required in section 401. Certified
3 copies of such certificates shall be issued upon application and
4 payment of the prescribed fee.

5 SECTION 3. THE ACT IS AMENDED BY ADDING AN ARTICLE TO READ: <—

6 ARTICLE IV-A. MISSING CHILDREN REGISTRATION

7 SECTION 401-A. MISSING CHILDREN REGISTRATION: DEFINITIONS.--
8 AS USED IN THIS ACT--

9 (1) "BUREAU" MEANS THE BUREAU OF VITAL STATISTICS OF THE
10 DEPARTMENT OF HEALTH.

11 (2) "LOCAL REGISTRAR" MEANS A LOCAL REGISTRAR FOR VITAL
12 STATISTICS UNDER SECTION 302 OF THIS ACT.

13 (3) "MISSING CHILD" MEANS AN INDIVIDUAL UNDER EIGHTEEN (18)
14 YEARS OF AGE WHO IS REPORTED TO A LAW ENFORCEMENT AGENCY AS
15 ABDUCTED, LOST, MISSING OR A RUNAWAY.

16 (4) "STATE POLICE" MEANS THE PENNSYLVANIA STATE POLICE.

17 SECTION 402-A. MISSING CHILDREN REGISTRATION: STATE
18 POLICE.--A PERSON, A LOCAL POLICE FORCE OR AN AGENCY OF THIS
19 COMMONWEALTH OR A POLITICAL SUBDIVISION MAY REPORT TO THE STATE
20 POLICE THAT AN INDIVIDUAL UNDER EIGHTEEN (18) YEARS OF AGE IS
21 LOST, ABDUCTED, MISSING OR A RUNAWAY. THE STATE POLICE SHALL
22 ADOPT A STATEMENT OF POLICY SETTING FORTH THE CONTENT OF REPORTS
23 FILED UNDER THIS SECTION. WITHIN FIFTEEN (15) DAYS OF RECEIPT OF
24 A REPORT, THE STATE POLICE SHALL COLLECT AVAILABLE INFORMATION
25 ON THE MISSING CHILD AND SEND COPIES OF THE INFORMATION TO THE
26 BUREAU AND TO THE LAST KNOWN SCHOOL WHICH THE MISSING CHILD
27 ATTENDED. UPON RECOVERY OF A CHILD WHO WAS THE SUBJECT OF A
28 REPORT, THE INVESTIGATING LAW ENFORCEMENT AGENCY SHALL NOTIFY
29 THE STATE POLICE, THE BUREAU AND THE LAST KNOWN SCHOOL WHICH THE
30 MISSING CHILD ATTENDED.

1 SECTION 403-A. MISSING CHILDREN REGISTRATION: NOTATIONS ON
2 BIRTH AND SCHOOL RECORDS.--IF THE BUREAU RECEIVES NOTIFICATION
3 OF A MISSING CHILD, IT SHALL MAKE A NOTATION ON THE BIRTH
4 CERTIFICATE RECORD OF THE MISSING CHILD SO THAT, IF THAT BIRTH
5 CERTIFICATE IS REQUESTED, THE BUREAU WILL BE ALERTED TO THE FACT
6 THAT THE BIRTH CERTIFICATE IS THAT OF A MISSING CHILD. THE
7 BUREAU SHALL NOTIFY THE APPROPRIATE LOCAL REGISTRAR TO MAKE A
8 SIMILAR NOTATION, AND THE APPROPRIATE LOCAL REGISTRAR SHALL MAKE
9 A SIMILAR NOTATION. IF THE BUREAU IS NOTIFIED OF THE RECOVERY OF
10 A MISSING CHILD, IT SHALL REMOVE THE NOTATION AND INSTRUCT THE
11 APPROPRIATE LOCAL REGISTRAR TO REMOVE THE NOTATION; AND THE
12 APPROPRIATE LOCAL REGISTRAR SHALL REMOVE THE NOTATION. IF A
13 SCHOOL RECEIVES NOTIFICATION OF A MISSING CHILD, IT SHALL MAKE A
14 NOTATION ON THE SCHOOL RECORD OF THE MISSING CHILD SO THAT, IF
15 THAT SCHOOL RECORD IS REQUESTED, THE SCHOOL WILL BE ALERTED TO
16 THE FACT THAT THE SCHOOL RECORD IS THAT OF A MISSING CHILD. IF
17 THE SCHOOL IS NOTIFIED OF THE RECOVERY OF A MISSING CHILD, IT
18 SHALL REMOVE THE NOTATION.

19 SECTION 404-A. MISSING CHILDREN REGISTRATION.--REQUESTS FOR
20 INFORMATION.--THE BUREAU, LOCAL REGISTRARS AND SCHOOLS MAY NOT
21 HONOR A REQUEST FOR INFORMATION FROM A RECORD WHICH HAS A
22 "MISSING CHILD" NOTATION WITHOUT THE WRITTEN APPROVAL OF THE
23 INVESTIGATING LAW ENFORCEMENT AGENCY. THE BUREAU, LOCAL
24 REGISTRARS AND SCHOOLS MAY NOT INFORM A PERSON OTHER THAN A
25 MEMBER OF A LAW ENFORCEMENT AGENCY THAT A RECORD HAS A "MISSING
26 CHILD" NOTATION. IF THE BUREAU, A LOCAL REGISTRAR OR A SCHOOL
27 RECEIVES A WRITTEN REQUEST FOR INFORMATION FROM A RECORD WHICH
28 HAS A "MISSING CHILD" NOTATION, THE BUREAU, LOCAL REGISTRAR OR
29 SCHOOL SHALL IMMEDIATELY NOTIFY THE INVESTIGATING LAW
30 ENFORCEMENT AGENCY, SHALL PROVIDE THE INVESTIGATING LAW

1 ENFORCEMENT AGENCY WITH A COPY OF THE REQUEST AND SHALL FOLLOW
2 THE INSTRUCTIONS OF THE INVESTIGATING LAW ENFORCEMENT AGENCY. IF
3 THE BUREAU, A LOCAL REGISTRAR OR A SCHOOL RECEIVES A PERSONAL
4 REQUEST FOR INFORMATION FROM A RECORD WHICH HAS A "MISSING
5 CHILD" NOTATION, THE BUREAU, LOCAL REGISTRAR OR SCHOOL SHALL ASK
6 THE REQUESTOR TO WAIT, SHALL IMMEDIATELY NOTIFY THE
7 INVESTIGATING LAW ENFORCEMENT AGENCY AND SHALL FOLLOW THE
8 INSTRUCTIONS OF THE INVESTIGATING LAW ENFORCEMENT AGENCY. IF THE
9 BUREAU, A LOCAL REGISTRAR OR A SCHOOL RECEIVES A TELEPHONE
10 REQUEST FOR INFORMATION FROM A RECORD WHICH HAS A "MISSING
11 CHILD" NOTATION, THE BUREAU, LOCAL REGISTRAR OR SCHOOL SHALL
12 OBTAIN THE REQUESTOR'S NAME, ADDRESS, TELEPHONE NUMBER, SOCIAL
13 SECURITY NUMBER AND RELATIONSHIP TO THE MISSING CHILD; SHALL
14 NOTIFY THE REQUESTOR THAT THE REQUEST WILL BE PROCESSED; SHALL
15 IMMEDIATELY NOTIFY THE INVESTIGATING LAW ENFORCEMENT AGENCY; AND
16 SHALL FOLLOW THE INSTRUCTIONS OF THE INVESTIGATING LAW
17 ENFORCEMENT AGENCY.

18 Section 3 4. This act shall take effect in 60 days.

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