

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 476 Session of 2009

INTRODUCED BY HANNA, KULA, READSHAW, SOLOBAY, BELFANTI, BRENNAN, CALTAGIRONE, CARROLL, CONKLIN, DePASQUALE, GEORGE, GRUCELA, KORTZ, KOTIK, LONGIETTI, MAHONEY, McILVAINE SMITH, MENSCH, MUNDY, MUSTIO, OBERLANDER, PALLONE, PAYNE, PRESTON, REICHLEY, SIPTROTH AND VULAKOVICH, FEBRUARY 18, 2009

REFERRED TO COMMITTEE ON STATE GOVERNMENT, FEBRUARY 18, 2009

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," in registration district administration, further
14 providing for local registrars' duties; in death and fetal
15 death registrations, further providing for certificates to be
16 filed and for permits concerning dead bodies and fetal
17 remains; and in records, further providing for reports to
18 county registration commissions.

19 The General Assembly of the Commonwealth of Pennsylvania
20 hereby enacts as follows:

21 Section 1. Section 303 of the act of June 29, 1953 (P.L.304,
22 No.66), known as the Vital Statistics Law of 1953, amended
23 October 27, 2006 (P.L.1200, No.129), is amended to read:

24 Section 303. Registration Districts: Local Registrars'

1 Duties.--Local registrars shall perform the duties imposed upon
2 them by this act, under and subject to the supervision of the
3 department. Local registrars shall transmit certificates and
4 transcripts to such places and at such times as shall be
5 prescribed by the department [and shall transmit, for a person
6 who was at least eighteen (18) years of age at the time of
7 death, a copy of the death certificate to the county board of
8 elections of the county in which the person resided at the time
9 of death].

10 Section 2. Section 501 of the act, amended July 9, 1971
11 (P.L.213, No.38), is amended to read:

12 Section 501. Death and Fetal Death Registration:

13 Certificates to be Filed.--A certificate of each death or fetal
14 death which occurs in this Commonwealth shall be filed within
15 ninety-six (96) hours after the death or fetal death or within
16 ninety-six (96) hours after the finding of a dead body or fetal
17 remains. In every instance, the certificate shall be filed prior
18 to the issuance of a permit for interment or other disposition
19 of the dead body or fetal remains. The person in charge of
20 interment or of removal of the dead body or fetal remains from
21 the registration district shall file the certificate with any
22 local registrar or the State Registrar of Vital Statistics, who
23 shall be authorized to issue certified copies of such death.

24 Section 3. Section 504 of the act, amended October 27, 2006
25 (P.L.1200, No.129), is amended to read:

26 Section 504. Death and Fetal Death Registration: Permits
27 Concerning Dead Bodies and Fetal Remains.--No person shall
28 dispose of a dead body or fetal remains until a local registrar
29 or the State Registrar of Vital Statistics issues a permit for
30 disposal. The local registrar or the State Registrar of Vital

1 Statistics shall be authorized to issue the permit and may issue
2 blank presigned permits to the funeral director only. The
3 funeral director or the person in charge of interment or removal
4 shall, within ninety-six (96) hours after the death or fetal
5 death or within ninety-six (96) hours after the finding of a
6 dead body or fetal remains, file with the local registrar a
7 certificate of death or fetal death.

8 The sexton or other person in charge of any premises in which
9 bodies are interred or cremated shall not allow the interment or
10 cremation of any dead body or fetal remains unless a permit
11 issued under this section is presented to the sexton. The sexton
12 or other person in charge of the premises shall endorse upon
13 each permit presented to the sexton or other person the date of
14 interment or cremation, over the sexton's or other person's
15 signature, and shall return the permit so endorsed to the local
16 registrar of the sexton's or other person's district or the
17 State Registrar of Vital Statistics within ten days from the
18 date of interment or cremation.

19 Section 4. Section 801.1 of the act, amended November 23,
20 2004 (P.L.909, No.122), is amended to read:

21 Section 801.1. Records: Reports to County Registration
22 Commissions.--[The department shall report monthly in writing to
23 the registration commission of each county the deaths of
24 residents of such counties, except residents less than eighteen
25 years of age, for the preceding month. Said report shall contain
26 the full name of the decedent, his or her last address, the date
27 of his or her birth if available, and the date of his or her
28 death.] The department shall transmit monthly to the Department
29 of State an electronic file containing information on all
30 resident deaths, except residents less than eighteen years of

1 age, for the preceding month. The electronic file shall include
2 the full name of the decedent, gender, last address, the date of
3 birth if available, county of residence, the date of death,
4 county of death, State file number and the last four digits of
5 the decedent's Social Security number. The Department of State
6 shall enter this information into the "sure system" as defined
7 in 25 Pa.C.S. § 1102 (relating to definitions), or a similar
8 successor system, which shall be used by the county boards of
9 election for the purpose of removing deceased individuals from
10 their voter registration rolls.

11 Section 5. This act shall take effect in 60 days.