

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2415 Session of  
2002

INTRODUCED BY MCGEEHAN, ARMSTRONG, M. BAKER, BUNT, CASORIO,  
L. I. COHEN, CORRIGAN, CREIGHTON, CRUZ, DALEY, DeLUCA,  
FRANKEL, GEIST, GEORGE, GRUCELA, HANNA, HARHAI, HENNESSEY,  
HORSEY, KELLER, KENNEY, KIRKLAND, LAWLESS, LEDERER, LEH,  
MARKOSEK, McCALL, MELIO, MICHLOVIC, O'BRIEN, PRESTON,  
READSHAW, ROBINSON, SAINATO, R. STEVENSON, STURLA, TANGRETTI,  
E. Z. TAYLOR, J. TAYLOR, THOMAS, TRICH, WALKO, WATERS, WILT,  
WOJNAROSKI, G. WRIGHT, YOUNGBLOOD AND FLICK, MARCH 13, 2002

REFERRED TO COMMITTEE ON HEALTH AND HUMAN SERVICES,  
MARCH 13, 2002

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," further providing for the disclosure of records.

14 The General Assembly of the Commonwealth of Pennsylvania  
15 hereby enacts as follows:

16 Section 1. Sections 801, 804, 805 and 806 of the act of June  
17 29, 1953 (P.L.304, No.66), known as the Vital Statistics Law of  
18 1953, are amended to read:

19 Section 801. Records: Disclosure in General.--The vital  
20 statistics records of the department and of local registrars

1 shall not be open to public inspection except as authorized by  
2 the provisions of this act and the regulations of the Advisory  
3 Health Board. Neither the department nor local registrars shall  
4 issue copies of or disclose any vital statistics record or part  
5 thereof created under the provisions of this or prior acts that  
6 pertain to a person still living, except to disclose it to that  
7 person, or if that person is a minor, to his parent or legal  
8 guardian, or upon order of a court of competent jurisdiction, or  
9 that pertain to a person no longer living, except in compliance  
10 with the provisions of this act and the regulations of the  
11 Advisory Health Board. Neither the department nor local  
12 registrars shall issue copies of or disclose the contents of any  
13 birth certificate unless the applicant presents a valid driver's  
14 license or nondriver government-issued identification card that  
15 includes a photograph of the person. A copy of such license or  
16 card, or the driver's license number or identification number  
17 and address of the applicant, shall be retained by the  
18 department or local registrar.

19 Section 804. Records: Disclosure of Other Records.--[Except]  
20 Subject to the provisions of section eight hundred one of this  
21 act, and except for records described in sections eight hundred  
22 two and eight hundred three of this act, the department shall  
23 issue certified copies of or disclose a vital statistics record  
24 or part thereof if an officer of the department designated by  
25 the Secretary of Health finds that the applicant therefor has a  
26 direct interest in the content of the record and that the  
27 information contained therein is necessary for the determination  
28 of personal or property rights.

29 Section 805. Records: Disclosure for Research Purposes.--The  
30 department may permit the use of vital statistics records or

1 parts thereof for research, subject to strict supervision by the  
2 department to insure that the use of the records is limited to  
3 research purposes, and provided that such records or parts  
4 thereof do not identify any person still living unless pursuant  
5 to an order by a court of competent jurisdiction.

6 Section 806. Records: Disclosure to Governmental Agencies.--  
7 The department may disclose information or data from vital  
8 statistics record to federal, state or municipal agencies of  
9 government which request such information or data in the  
10 interest of conduct of official duty, provided that such records  
11 or parts thereof do not identify any person still living unless  
12 pursuant to an order by a court of competent jurisdiction.

13 Section 2. Section 807 of the act, amended July 3, 1957  
14 (P.L.433, No.237), is amended to read:

15 Section 807. Records: Fees for Copies.--(a) Except as  
16 otherwise provided in this act, the Advisory Health Board shall  
17 prescribe the fees to be paid by applicants for copies of vital  
18 statistics records or parts therefor.

19 (b) Federal, state and municipal agencies of government may  
20 obtain copies of records or certifications of data from records  
21 without payment of fees, provided that the department and the  
22 Commonwealth incur no expense in connection therewith, and  
23 provided that such records or parts thereof do not identify any  
24 person still living unless pursuant to an order by a court of  
25 competent jurisdiction.

26 (c) No fee shall be charged for certified copies of records  
27 or parts thereof furnished members of the armed forces of the  
28 United States and their dependents during their term of active  
29 service and after their death in service or honorable discharge  
30 therefrom.

1       Section 3.   This act shall take effect in 60 days.