

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 776 Session of 2007

INTRODUCED BY WONDERLING, TOMLINSON, PUNT, RAFFERTY, O'PAKE, STOUT, WAUGH, M. WHITE, FUMO, GREENLEAF, RHOADES, ERICKSON, C. WILLIAMS, COSTA, LAVALLE, ROBBINS, MADIGAN, EARLL, ARMSTRONG AND BROWNE, APRIL 23, 2007

AS AMENDED ON THIRD CONSIDERATION, JANUARY 29, 2008

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 registration districts and
14 local registrars' duties, FOR DEATH AND FETAL DEATH
15 REGISTRATIONS AND FOR REPORTS. <---

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

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

21 Section 303. Registration Districts: Local Registrars'
22 Duties.--(a) Local registrars shall perform the duties imposed <---
23 upon them by this act, under and subject to the supervision of

1 the department. Local registrars shall transmit certificates and  
2 transcripts to such places and at such times as shall be  
3 prescribed by the department [and shall transmit, for a person  
4 who was at least eighteen (18) years of age at the time of  
5 death, a copy of the death certificate to the county board of  
6 elections of the county in which the person resided at the time  
7 of death].

8 ~~(b) (1) A county board of elections may submit a request to~~ <—  
9 ~~the department that the county board of elections be notified by~~  
10 ~~a local registrar of the death for all persons who are at least~~  
11 ~~eighteen (18) years of age and reside in the county at the time~~  
12 ~~of death. The information transmitted shall be limited to only~~  
13 ~~the name, date of birth, date of death, gender and address of~~  
14 ~~the decedent.~~

15 ~~(2) The department shall provide to the local registrars a~~  
16 ~~list of all county boards of elections that requested~~  
17 ~~notification under paragraph (1) every six (6) months.~~

18 ~~(3) A local registrar shall transmit the notification to the~~  
19 ~~county board of elections that is included in the list provided~~  
20 ~~under paragraph (2) at the same time that the local registrar~~  
21 ~~files its report with the department.~~

22 SECTION 2. SECTION 501 OF THE ACT, AMENDED JULY 9, 1971 <—  
23 (P.L.213, NO.38), IS AMENDED TO READ:

24 SECTION 501. DEATH AND FETAL DEATH REGISTRATION:  
25 CERTIFICATES TO BE FILED.--A CERTIFICATE OF EACH DEATH OR FETAL  
26 DEATH WHICH OCCURS IN THIS COMMONWEALTH SHALL BE FILED WITHIN  
27 NINETY-SIX (96) HOURS AFTER THE DEATH OR FETAL DEATH OR WITHIN  
28 NINETY-SIX (96) HOURS AFTER THE FINDING OF A DEAD BODY OR FETAL  
29 REMAINS. IN EVERY INSTANCE, THE CERTIFICATE SHALL BE FILED PRIOR  
30 TO THE ISSUANCE OF A PERMIT FOR INTERMENT OR OTHER DISPOSITION

1 OF THE DEAD BODY OR FETAL REMAINS. THE PERSON IN CHARGE OF  
2 INTERMENT OR OF REMOVAL OF THE DEAD BODY OR FETAL REMAINS FROM  
3 THE REGISTRATION DISTRICT SHALL FILE THE CERTIFICATE WITH ANY  
4 LOCAL REGISTRAR OR THE STATE REGISTRAR OF VITAL STATISTICS, WHO  
5 SHALL BE AUTHORIZED TO ISSUE CERTIFIED COPIES OF SUCH DEATH.

6 SECTION 3. SECTION 504 OF THE ACT, AMENDED OCTOBER 27, 2006  
7 (P.L.1200, NO.129), IS AMENDED TO READ:

8 SECTION 504. DEATH AND FETAL DEATH REGISTRATION: PERMITS  
9 CONCERNING DEAD BODIES AND FETAL REMAINS.--NO PERSON SHALL  
10 DISPOSE OF A DEAD BODY OR FETAL REMAINS UNTIL A LOCAL REGISTRAR  
11 OR THE STATE REGISTRAR OF VITAL STATISTICS ISSUES A PERMIT FOR  
12 DISPOSAL. THE LOCAL REGISTRAR OR THE STATE REGISTRAR OF VITAL  
13 STATISTICS SHALL BE AUTHORIZED TO ISSUE THE PERMIT AND MAY ISSUE  
14 BLANK PRESIGNED PERMITS TO THE FUNERAL DIRECTOR ONLY. THE  
15 FUNERAL DIRECTOR OR THE PERSON IN CHARGE OF INTERMENT OR REMOVAL  
16 SHALL, WITHIN NINETY-SIX (96) HOURS AFTER THE DEATH OR FETAL  
17 DEATH OR WITHIN NINETY-SIX (96) HOURS AFTER THE FINDING OF A  
18 DEAD BODY OR FETAL REMAINS, FILE WITH THE LOCAL REGISTRAR A  
19 CERTIFICATE OF DEATH OR FETAL DEATH.

20 THE SEXTON OR OTHER PERSON IN CHARGE OF ANY PREMISES IN WHICH  
21 BODIES ARE INTERRED OR CREMATED SHALL NOT ALLOW THE INTERMENT OR  
22 CREMATION OF ANY DEAD BODY OR FETAL REMAINS UNLESS A PERMIT  
23 ISSUED UNDER THIS SECTION IS PRESENTED TO THE SEXTON. THE SEXTON  
24 OR OTHER PERSON IN CHARGE OF THE PREMISES SHALL ENDORSE UPON  
25 EACH PERMIT PRESENTED TO THE SEXTON OR OTHER PERSON THE DATE OF  
26 INTERMENT OR CREMATION, OVER THE SEXTON'S OR OTHER PERSON'S  
27 SIGNATURE, AND SHALL RETURN THE PERMIT SO ENDORSED TO THE LOCAL  
28 REGISTRAR OF THE SEXTON'S OR OTHER PERSON'S DISTRICT OR THE  
29 STATE REGISTRAR OF VITAL STATISTICS WITHIN TEN DAY FROM THE DATE  
30 OF INTERMENT OR CREMATION.

1 SECTION 4. SECTION 801.1 OF THE ACT, AMENDED NOVEMBER 23,  
2 2004 (P.L.909, NO.122), IS AMENDED TO READ:

3 SECTION 801.1. RECORDS: REPORTS TO COUNTY REGISTRATION  
4 COMMISSIONS.--[THE DEPARTMENT SHALL REPORT MONTHLY IN WRITING TO  
5 THE REGISTRATION COMMISSION OF EACH COUNTY THE DEATHS OF  
6 RESIDENTS OF SUCH COUNTIES, EXCEPT RESIDENTS LESS THAN EIGHTEEN  
7 YEARS OF AGE, FOR THE PRECEDING MONTH. SAID REPORT SHALL CONTAIN  
8 THE FULL NAME OF THE DECEDENT, HIS OR HER LAST ADDRESS, THE DATE  
9 OF HIS OR HER BIRTH IF AVAILABLE, AND THE DATE OF HIS OR HER  
10 DEATH.] THE DEPARTMENT SHALL TRANSMIT MONTHLY TO THE DEPARTMENT  
11 OF STATE AN ELECTRONIC FILE CONTAINING INFORMATION ON ALL  
12 RESIDENT DEATHS, EXCEPT RESIDENTS LESS THAN EIGHTEEN YEARS OF  
13 AGE, FOR THE PRECEDING MONTH. THE ELECTRONIC FILE SHALL INCLUDE,  
14 AT A MINIMUM, THE FULL NAME OF THE DECEDENT, GENDER, LAST  
15 ADDRESS, THE DATE OF BIRTH IF AVAILABLE, COUNTY OF RESIDENCE AND  
16 THE DATE OF DEATH. THE DEPARTMENT OF STATE SHALL ENTER THIS  
17 INFORMATION INTO THE "SURE SYSTEM" AS DEFINED IN 25 PA.C.S. §  
18 102 (RELATING TO DEFINITIONS), OR A SIMILAR SUCCESSOR SYSTEM,  
19 WHICH SHALL BE USED BY THE COUNTY BOARDS OF ELECTION FOR THE  
20 PURPOSE OF PURGING DECEASED INDIVIDUALS FROM THEIR VOTER  
21 REGISTRATION ROLLS.

22 Section 2 5. This act shall take effect in 60 days.

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