

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 446 Session of 2009

INTRODUCED BY TOMLINSON, ROBBINS, WONDERLING, ORIE, RAFFERTY,
ALLOWAY, ERICKSON, BRUBAKER, GREENLEAF, BROWNE, WAUGH,
M. WHITE, LOGAN, FONTANA, FERLO, O'PAKE AND COSTA,
MARCH 2, 2009

REFERRED TO PUBLIC HEALTH AND WELFARE, MARCH 2, 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," 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.--Local registrars shall perform the duties imposed upon
23 them by this act, under and subject to the supervision of the

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

10 Section 501. Death and Fetal Death Registration:
11 Certificates to be Filed.--A certificate of each death or fetal
12 death which occurs in this Commonwealth shall be filed within
13 ninety-six (96) hours after the death or fetal death or within
14 ninety-six (96) hours after the finding of a dead body or fetal
15 remains. In every instance, the certificate shall be filed prior
16 to the issuance of a permit for interment or other disposition
17 of the dead body or fetal remains. The person in charge of
18 interment or of removal of the dead body or fetal remains from
19 the registration district shall file the certificate with any
20 local registrar or the State Registrar of Vital Statistics, who
21 shall be authorized to issue certified copies of such death.

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

24 Section 504. Death and Fetal Death Registration: Permits
25 Concerning Dead Bodies and Fetal Remains.--No person shall
26 dispose of a dead body or fetal remains until a local registrar
27 or the State Registrar of Vital Statistics issues a permit for
28 disposal. The local registrar or the State Registrar of Vital
29 Statistics shall be authorized to issue the permit and may issue
30 blank presigned permits to the funeral director only. The

1 funeral director or the person in charge of interment or removal
2 shall, within ninety-six (96) hours after the death or fetal
3 death or within ninety-six (96) hours after the finding of a
4 dead body or fetal remains, file with the local registrar a
5 certificate of death or fetal death.

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

17 Section 4. Section 801.1 of the act, amended November 23,
18 2004 (P.L.909, No.122), is amended to read:

19 Section 801.1. Records: Reports to County Registration
20 Commissions.--[The department shall report monthly in writing to
21 the registration commission of each county the deaths of
22 residents of such counties, except residents less than eighteen
23 years of age, for the preceding month. Said report shall contain
24 the full name of the decedent, his or her last address, the date
25 of his or her birth if available, and the date of his or her
26 death.] The department shall transmit monthly to the Department
27 of State an electronic file containing information on all
28 resident deaths, except residents less than eighteen (18) years
29 of age, for the preceding month. The electronic file shall
30 include the full name of the decedent, gender, last address, the

1 date of birth if available, county of residence, the date of
2 death, county of death, State file number and the last four
3 digits of the decedent's Social Security number. The Department
4 of State shall enter this information into the "sure system" as
5 defined in 25 Pa.C.S. § 102 (relating to definitions), or a
6 similar successor system, which shall be used by the county
7 boards of election for the purpose of removing deceased
8 individuals from their voter registration rolls.

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