

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 84 Session of 2018

INTRODUCED BY LAWRENCE, BAKER, BENNINGHOFF, CHARLTON, DRISCOLL, FEE, IRVIN, JAMES, KAUFFMAN, LEWIS, MCGINNIS, MILLARD, MOUL, READSHAW, SAYLOR, M. QUINN, PICKETT, CORR AND ZIMMERMAN, MARCH 13, 2018

REFERRED TO COMMITTEE ON HEALTH, MARCH 13, 2018

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' compensation; in birth
 15 registration, further providing for children born in a
 16 country other than the United States and providing for
 17 Legislative Budget and Finance Committee study; and making a
 18 related repeal.

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

21 Section 1. Sections 304(c) and 403(d) of the act of June 29,
 22 1953 (P.L.304, No.66), known as the Vital Statistics Law of
 23 1953, are amended and the sections are amended by adding
 24 subsections to read:

25 Section 304. Registration Districts: Local Registrars'

1 Compensation.--* * *

2 (b.1) Local registrars may issue certified copies of a birth
3 record in a manner prescribed by the department or the Division
4 of Vital Records. The local registrar shall retain the
5 percentage allocated under section 403(e) (4) for each
6 certificate issued.

7 (c) (1) A local registrar may not be compensated in excess
8 of sixty thousand dollars (\$60,000) in any one calendar year[.
9 Compensation shall include] for fees received from the
10 department under subsection (a) and retained from requesters
11 under subsection (b).

12 (1.1) A local registrar may not be compensated in excess of
13 sixty thousand dollars (\$60,000) in any one calendar year for
14 fees received or collected under subsection (b.1).

15 (2) Upon reaching the limitation on compensation set forth
16 under clause (1) in any one calendar year, the local registrar
17 shall transmit all additional fees received under subsection (b)
18 to the department for deposit as follows:

19 (i) Three dollars (\$3) shall be deposited in the Vital
20 Statistics Improvement Fund.

21 (ii) Three dollars (\$3) shall be deposited in the General
22 Fund.

23 * * *

24 (e) Upon reaching the limitation on compensation set forth
25 under subsection (c) (1.1) in any one calendar year, additional
26 fees shall be transmitted to the General Fund.

27 Section 403. Birth Registration: Children Born in a Country
28 Other Than the United States.--* * *

29 (d) Certified copies of [such certificates] a certificate
30 shall be issued [upon] on application and payment of the

1 prescribed fee under section 609-A of the act of April 9, 1929
2 (P.L.177, No.175), known as "The Administrative Code of 1929."

3 (e) A fee charged by the department for a certified copy of
4 a birth record under section 609-A of "The Administrative Code
5 of 1929" shall be distributed as follows:

6 (1) Twelve and one-half percent (12.5%) shall be deposited
7 in a restricted account within the General Fund. The money in
8 the restricted account is hereby appropriated on a continuing
9 basis to the Department of Human Services for training of
10 mandated reporters of child abuse and child abuse related costs.

11 (2) Thirty-seven and one-half percent (37.5%) shall be
12 deposited in a restricted account within the General Fund. The
13 money in the restricted account is hereby appropriated on a
14 continuing basis to the Pennsylvania Commission on Crime and
15 Delinquency for grants for child advocacy centers and
16 multidisciplinary investigative teams.

17 (3) Twenty-five percent (25%) shall be deposited in a
18 restricted account within the General Fund. The money in the
19 restricted account is hereby appropriated on a continuing basis
20 to the department for the sole purpose of costs associated with
21 issuing certified copies of birth records. Acceptable uses of
22 these funds are limited to the salary, benefits and training
23 costs for an employee in the Department of Vital Records
24 actively involved in the issuance of certified copies of birth
25 records.

26 (4) If a local registrar is involved in the issuance of a
27 certified copy of a birth record, an amount equal to twenty
28 percent (20%) of the fee collected for the certified copy shall
29 be transferred by the department to the local registrar or, if
30 collected by the local registrar, retained by the local

1 registrar.

2 (5) The remainder shall be deposited in the General Fund.

3 (f) Funding under subsection (e) (2) and (3) may not be used
4 to supplant Federal, State or local funds otherwise available
5 for child advocacy centers and multidisciplinary investigative
6 teams.

7 Section 2. The act is amended by adding a section to read:

8 Section 404. Birth Registration: Legislative Budget and
9 Finance Committee Study.--(a) Within one year of the effective
10 date of this section, the Legislative Budget and Finance
11 Committee shall produce and present a study concerning the
12 process of issuing birth certificates in this Commonwealth. The
13 study shall be presented to the President pro tempore of the
14 Senate, the Majority and Minority Leader of the Senate, the
15 chairperson and minority chairperson of the Health and Human
16 Services Committee of the Senate, the Speaker of the House of
17 Representatives, the Majority and Minority Leader of the House
18 of Representatives, the chairperson and minority chairperson of
19 the Health Committee of the House of Representatives and the
20 Governor.

21 (b) The study shall, at a minimum, provide a review of the
22 following:

23 (1) The current process and recommendations for improving
24 the issuance of a certified copy of a birth record in this
25 Commonwealth.

26 (2) A review and recommendations on future requirements of
27 the costs associated with the issuance of a certified copy of a
28 birth record in this Commonwealth.

29 (3) A review and comparison of the birth certificate
30 issuance process used by states immediately adjacent to this

1 Commonwealth.

2 Section 3. Repeals are as follows:

3 (1) The General Assembly declares that the repeal under
4 paragraph (2) is necessary to effectuate the addition of
5 section 403(e) and (f) of the act.

6 (2) Section 2303.1-B of the act of April 9, 1929
7 (P.L.177, No.175), known as The Administrative Code of 1929,
8 is repealed.

9 Section 4. This act shall take effect in 60 days.