

## 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, ZIMMERMAN AND  
GILLEN, MARCH 13, 2018

AS REPORTED FROM COMMITTEE ON HEALTH, HOUSE OF REPRESENTATIVES,  
AS AMENDED, MAY 22, 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 CERTIFIED COPIES OF BIRTH RECORDS AND FOR Legislative Budget <--  
18 and Finance Committee study; and making a 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:~~

1 SECTION 1. SECTION 304(C) OF THE ACT OF JUNE 29, 1953 <--  
2 (P.L.304, NO.66), KNOWN AS THE VITAL STATISTICS LAW OF 1953, IS  
3 AMENDED AND THE SECTION IS AMENDED BY ADDING SUBSECTIONS TO  
4 READ:

5 Section 304. Registration Districts: Local Registrars'  
6 Compensation.--\* \* \*

7 (b.1) Local registrars may issue certified copies of a birth  
8 record in a manner prescribed by the department or the Division  
9 of Vital Records. The local registrar shall retain the  
10 percentage allocated under section ~~403(e)(4)~~ 404 for each <--  
11 certificate issued.

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

17 (1.1) A local registrar may not be compensated in excess of  
18 sixty thousand dollars (\$60,000) in any one calendar year for  
19 fees received or collected under subsection (b.1).

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

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

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

28 \* \* \*

29 (e) Upon reaching the limitation on compensation set forth  
30 under subsection (c)(1.1) in any one calendar year, additional

1 fees shall be transmitted to the General Fund.

2 SECTION 2. SECTION 403(D) OF THE ACT IS AMENDED TO READ: <--

3 Section 403. Birth Registration: Children Born in a Country  
4 Other Than the United States.--\* \* \*

5 (d) Certified copies of [such certificates] a certificate  
6 shall be issued [upon] on application and payment of the  
7 prescribed fee under section 609-A of the act of April 9, 1929  
8 (P.L.177, No.175), known as "The Administrative Code of 1929."

9 ~~(e) A fee charged by the department for a certified copy of~~ <--  
10 ~~a birth record under section 609 A of "The Administrative Code~~  
11 ~~of 1929" shall be distributed as follows:~~

12 ~~(1) Twelve and one half percent (12.5%) shall be deposited~~  
13 ~~in a restricted account within the General Fund. The money in~~  
14 ~~the restricted account is hereby appropriated on a continuing~~  
15 ~~basis to the Department of Human Services for training of~~  
16 ~~mandated reporters of child abuse and child abuse related costs.~~

17 ~~(2) Thirty seven and one half percent (37.5%) shall be~~  
18 ~~deposited in a restricted account within the General Fund. The~~  
19 ~~money in the restricted account is hereby appropriated on a~~  
20 ~~continuing basis to the Pennsylvania Commission on Crime and~~  
21 ~~Delinquency for grants for child advocacy centers and~~  
22 ~~multidisciplinary investigative teams.~~

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

1 records.

2 ~~(4) If a local registrar is involved in the issuance of a~~  
3 ~~certified copy of a birth record, an amount equal to twenty~~  
4 ~~percent (20%) of the fee collected for the certified copy shall~~  
5 ~~be transferred by the department to the local registrar or, if~~  
6 ~~collected by the local registrar, retained by the local~~  
7 ~~registrar.~~

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

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

13 Section ~~2~~ 3. The act is amended by adding a ~~section~~ SECTIONS <--  
14 to read:

15 SECTION 404. BIRTH REGISTRATION: CERTIFIED COPIES OF BIRTH <--  
16 RECORDS.-- (A) A FEE CHARGED BY THE DEPARTMENT FOR A CERTIFIED  
17 COPY OF A BIRTH RECORD UNDER SECTION 609-A OF "THE  
18 ADMINISTRATIVE CODE OF 1929" SHALL BE DISTRIBUTED AS FOLLOWS:

19 (1) TWELVE AND ONE-HALF PERCENT (12.5%) SHALL BE DEPOSITED  
20 IN A RESTRICTED ACCOUNT WITHIN THE GENERAL FUND. THE MONEY IN  
21 THE RESTRICTED ACCOUNT IS HEREBY APPROPRIATED ON A CONTINUING  
22 BASIS TO THE DEPARTMENT OF HUMAN SERVICES FOR TRAINING OF  
23 MANDATED REPORTERS OF CHILD ABUSE AND CHILD ABUSE RELATED COSTS.

24 (2) THIRTY-SEVEN AND ONE-HALF PERCENT (37.5%) SHALL BE  
25 DEPOSITED IN A RESTRICTED ACCOUNT WITHIN THE GENERAL FUND. THE  
26 MONEY IN THE RESTRICTED ACCOUNT IS HEREBY APPROPRIATED ON A  
27 CONTINUING BASIS TO THE PENNSYLVANIA COMMISSION ON CRIME AND  
28 DELINQUENCY FOR GRANTS FOR CHILD ADVOCACY CENTERS AND  
29 MULTIDISCIPLINARY INVESTIGATIVE TEAMS.

30 (3) TWENTY-FIVE PERCENT (25%) SHALL BE DEPOSITED IN A

1 RESTRICTED ACCOUNT WITHIN THE GENERAL FUND. THE MONEY IN THE  
2 RESTRICTED ACCOUNT IS HEREBY APPROPRIATED ON A CONTINUING BASIS  
3 TO THE DEPARTMENT FOR THE SOLE PURPOSE OF COSTS ASSOCIATED WITH  
4 ISSUING CERTIFIED COPIES OF BIRTH RECORDS. ACCEPTABLE USES OF  
5 THESE FUNDS ARE LIMITED TO THE SALARY, BENEFITS AND TRAINING  
6 COSTS FOR AN EMPLOYEE IN THE DIVISION OF VITAL RECORDS ACTIVELY  
7 INVOLVED IN THE ISSUANCE OF CERTIFIED COPIES OF BIRTH RECORDS.

8 (4) IF A LOCAL REGISTRAR IS INVOLVED IN THE ISSUANCE OF A  
9 CERTIFIED COPY OF A BIRTH RECORD, AN AMOUNT EQUAL TO TWENTY  
10 PERCENT (20%) OF THE FEE COLLECTED FOR THE CERTIFIED COPY SHALL  
11 BE TRANSFERRED BY THE DEPARTMENT TO THE LOCAL REGISTRAR OR, IF  
12 COLLECTED BY THE LOCAL REGISTRAR, RETAINED BY THE LOCAL  
13 REGISTRAR.

14 (5) THE REMAINDER SHALL BE DEPOSITED IN THE GENERAL FUND.

15 (B) FUNDING UNDER SUBSECTION (A) (2) AND (3) MAY NOT BE USED  
16 TO SUPPLANT FEDERAL, STATE OR LOCAL FUNDS OTHERWISE AVAILABLE  
17 FOR CHILD ADVOCACY CENTERS AND MULTIDISCIPLINARY INVESTIGATIVE  
18 TEAMS.

19 Section ~~404~~ 405. Birth Registration: Legislative Budget and <--  
20 Finance Committee Study.--(a) Within one year of the effective  
21 date of this section, the Legislative Budget and Finance  
22 Committee shall produce and present a study concerning the  
23 process of issuing birth certificates in this Commonwealth. The  
24 study shall be presented to the President pro tempore of the  
25 Senate, the Majority and Minority Leader of the Senate, the  
26 chairperson and minority chairperson of the Health and Human  
27 Services Committee of the Senate, the Speaker of the House of  
28 Representatives, the Majority and Minority Leader of the House  
29 of Representatives, the chairperson and minority chairperson of  
30 the Health Committee of the House of Representatives and the

1 Governor.

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

4 (1) The current process and recommendations for improving  
5 the issuance of a certified copy of a birth record in this  
6 Commonwealth.

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

10 (3) A review and comparison of the birth certificate  
11 issuance process used by states immediately adjacent to this  
12 Commonwealth.

13 Section ~~3~~ 4. Repeals are as follows: <--

14 (1) The General Assembly declares that the repeal under  
15 paragraph (2) is necessary to effectuate the addition of  
16 section ~~403(e) and (f)~~ 404 of the act. <--

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

20 Section ~~4~~ 5. This act shall take effect in 60 days. <--