



House of Representatives

General Assembly

File No. 585

January Session, 2013

Substitute House Bill No. 5733

House of Representatives, April 22, 2013

The Committee on Public Health reported through REP. JOHNSON of the 49th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING ACCESS TO DEATH CERTIFICATES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 7-51a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2013*):

3 (a) Any person eighteen years of age or older may purchase (1)
4 certified copies of marriage [and death] records, and (2) certified
5 copies of death records and records of births or fetal deaths [which]
6 that are at least one hundred years old, in the custody of any registrar
7 of vital statistics. The department may issue [uncertified copies of
8 death certificates for deaths occurring less than one hundred years ago,
9 and] uncertified copies of birth, marriage, death and fetal death
10 certificates for births, marriages, deaths and fetal deaths that occurred
11 at least one hundred years [ago] prior to the date of issuance, to
12 researchers approved by the department pursuant to section 19a-25,
13 and to state and federal agencies approved by the department. During
14 all normal business hours, members of genealogical societies
15 incorporated or authorized by the Secretary of the State to do business

16 or conduct affairs in this state shall [(1)] (A) have full access to all vital
17 records in the custody of any registrar of vital statistics, including
18 certificates, ledgers, record books, card files, indexes and database
19 printouts, except for those records containing Social Security numbers
20 protected pursuant to 42 USC 405 (c)(2)(C), and confidential files on
21 adoptions, gender change, gestational agreements and paternity, [(2)]
22 (B) be permitted to make notes from such records, [(3)] (C) be
23 permitted to purchase certified copies of such records, and [(4)] (D) be
24 permitted to incorporate statistics derived from such records in the
25 publications of such genealogical societies. For all vital records
26 containing Social Security numbers that are protected from disclosure
27 pursuant to federal law, the Social Security numbers contained on such
28 records shall be redacted from any certified copy of such records
29 issued to a genealogist by a registrar of vital statistics.

30 (b) For marriage and civil union licenses, the Social Security
31 numbers of the parties to the marriage or civil union shall be recorded
32 in the "administrative purposes" section of the marriage or civil union
33 license and the application for such license. All persons specified on
34 the license, including the parties to the marriage or civil union,
35 officiator and local registrar shall have access to the Social Security
36 numbers specified on the marriage or civil union license and the
37 application for such license for the purpose of processing the license.
38 Only the parties to a marriage or civil union, or entities authorized by
39 state or federal law, may receive a certified copy of a marriage or civil
40 union license with the Social Security numbers included on the license.
41 Any other individual, researcher or state or federal agency requesting
42 a certified or uncertified copy of any marriage or civil union license in
43 accordance with the provisions of this section shall be provided such
44 copy with such Social Security numbers removed or redacted, or with
45 the "administrative purposes" section omitted.

46 (c) (1) For deaths occurring after December 31, 2001, the Social
47 Security number, occupation, business or industry, race, Hispanic
48 origin if applicable, and educational level of the deceased person, if
49 known, shall be recorded in the "administrative purposes" section of

50 the death certificate. All parties specified on the certificate, including
51 the informant, licensed funeral director, licensed embalmer,
52 conservator, surviving spouse, physician and town clerk, shall have
53 access to the Social Security numbers of the decedent as well as other
54 information contained in the "administrative purposes" section
55 specified on the original death certificate for the purpose of processing
56 the certificate.

57 (2) For any death occurring after July 1, 1997, only the surviving
58 spouse, next of kin or state and federal agencies authorized by federal
59 law may receive a certified copy of a death certificate with the
60 decedent's Social Security number or the complete "administrative
61 purposes" section included on the certificate. Any researcher
62 requesting a death certificate for a death occurring after July 1, 1997,
63 may obtain the information included in the "administrative purposes"
64 section of such certificate, except that the decedent's Social Security
65 number shall be redacted.

66 (3) For any death occurring less than one hundred years prior to the
67 date of a request for a copy of a death certificate pursuant to this
68 subsection, the registrar of vital statistics of the town in which the
69 death occurred, the registrar of vital statistics of the town of residence
70 of the decedent or the Department of Public Health, upon request of a
71 person, other than a person listed in subdivision (1) or (2) of this
72 subsection or any other person who demonstrates that information
73 contained in the death certificate is needed for the determination or
74 protection of a personal or property right, shall issue a certificate of
75 death registration that shall contain the name, gender, date of death of
76 the decedent, cause of death and the town in which the death occurred
77 and such person shall not have access to any other information
78 contained in the death certificate.

79 (d) The registrar of vital statistics of any town or city in this state
80 that has access to an electronic vital records system, as authorized by
81 the department, may use such system to issue certified copies of birth,
82 death, fetal death or marriage certificates, or certificates of death

83 registration that are electronically filed in such system.

84 Sec. 2. Section 7-74 of the general statutes is repealed and the
85 following is substituted in lieu thereof (*Effective October 1, 2013*):

86 (a) The fee for a certification of birth registration, short form, shall
87 be fifteen dollars. The fee for a certified copy of a certificate of birth,
88 long form, shall be twenty dollars, except that the fee for such
89 certifications and copies when issued by the department shall be thirty
90 dollars.

91 (b) The fee for a certified copy of a certificate of marriage or death
92 shall be twenty dollars. The fee for a certificate of death registration
93 shall be fifteen dollars. Such fees shall not be required of the
94 department.

95 (c) The fee for one certified copy of a certificate of death for any
96 deceased person who was a veteran, as defined in subsection (a) of
97 section 27-103, shall be waived when such copy is requested by a
98 spouse, child or parent of such deceased veteran.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2013</i>	7-51a
Sec. 2	<i>October 1, 2013</i>	7-74

PH *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 14 \$	FY 15 \$
Public Health, Dept.	GF - Revenue Loss	Minimal	Minimal

Municipal Impact:

Municipalities	Effect	FY 14 \$	FY 15 \$
All Municipalities	Revenue Loss	Minimal	Minimal

Explanation

The bill limits access to death certificates less than 100 years old. It establishes a "certificate of death registration" to be made available by the Department of Public Health (DPH) and municipalities to anyone otherwise prohibited by the bill from obtaining an individual's death certificate.

The bill results in a minimal revenue loss to DPH and municipalities associated with the reduced fee for certificates of death registration. Currently, anyone can obtain a death certificate for a \$20 fee; the fee for a certificate of death registration is \$15 under the bill's provisions. The number of requested certificates of death registration is anticipated to be small.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of certificates of death registrations requested of DPH and municipalities.

OLR Bill Analysis

sHB 5733

AN ACT CONCERNING ACCESS TO DEATH CERTIFICATES.

SUMMARY:

This bill:

1. prohibits issuance of uncertified copies of death certificates less than 100 years old,
2. limits who can receive certified copies of death certificates less than 100 years old, and
3. requires that specified people who can currently request a certified copy instead receive a “certificate of death registration” (hereafter referred to as a “short form”),
4. establishes a \$15 fee for the short form, and
5. makes technical changes.

As under current law, only certain people have access to the decedent’s social security number (SSN) and information contained in the death certificate’s “administrative purposes” section (e.g., the decedent’s race, educational level, and occupation)(see BACKGROUND).

EFFECTIVE DATE: October 1, 2013

SHORT FORMS AND CERTIFICATES

Current law allows anyone age 18 or older to request and receive a certified copy of a death certificate less than 100 years old. Instead, the bill requires town clerks and the Department of Public Health to issue a short form to requestors unless the person is (1) listed on the

certificate (e.g., the funeral director, embalmer, conservator, physician, or town clerk); (2) the surviving spouse or next of kin; (3) a researcher; (4) an authorized state or federal agency; or (5) in need of the certificate to determine or protect a personal or property right.

For the people ineligible to receive a short form, the bill does not explicitly authorize but appears to allow them to receive a certified copy.

Under the bill, the short form must include only the decedent's name and gender as well as the cause, date, and place of death. A person issued a short form is prohibited from accessing any other information in the death certificate.

BACKGROUND

Restrictions On Access To Certain Information

For deaths occurring after July 1, 1997, (1) only the surviving spouse or next of kin can access the decedent's SSN and administrative purposes section and (2) any researcher requesting a certified copy of a death certificate can access the administrative purposes section with the decedent's SSN redacted.

For deaths occurring after December 31, 2001, the decedent's SSN is recorded in the administrative purposes section which can also be accessed by the people listed on the death certificate, but only to process the certificate.

Related Bill

HB 5421, reported favorably by the Government Administration and Elections Committee, exempts death certificates of minors from public disclosure except to certain public agencies, immediate family members, and funeral directors, for a period of six months after the minor's death.

COMMITTEE ACTION

Public Health Committee

Joint Favorable Substitute

Yea 21 Nay 7 (04/05/2013)