

FIRST REGULAR SESSION

# HOUSE BILL NO. 90

## 95TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE BROWN (50).

0470L.01I

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal section 193.265, RSMo, and to enact in lieu thereof two new sections relating to recording fees.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 193.265, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 59.318 and 193.265, to read as follows:

**59.318. A donation of one dollar may be collected by the recorder of deeds for any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, over and above any fees required by law, when any instruments specified in subdivisions (3) and (5) of section 59.330 are recorded. The donations collected for the recorded instrument shall be forwarded monthly by the recorder of deeds to the county treasurer, and the donations so forwarded shall be deposited by the county treasurer into the housing resource commission fund to assist homeless families and provide financial assistance to organizations addressing homelessness in the county. The recorder shall provide a check-off box for such donation on the application form.**

193.265. 1. For the issuance of a certification or copy of a death record, the applicant shall pay a fee of thirteen dollars for the first certification or copy and a fee of ten dollars for each additional copy ordered at that time. For the issuance of a certification or copy of a birth, marriage, divorce, or fetal death record, the applicant shall pay a fee of fifteen dollars. All fees shall be deposited to the state department of revenue. Beginning August 28, 2004, for each vital records fee collected, the director of revenue shall credit four dollars to the general revenue fund, five dollars to the children's trust fund, one dollar shall be credited to the endowed care cemetery

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

8 audit fund, and three dollars for the first copy of death records and five dollars for birth,  
9 marriage, divorce, and fetal death records shall be credited to the Missouri public services health  
10 fund established in section 192.900, RSMo. Money in the endowed care cemetery audit fund  
11 shall be available by appropriation to the division of professional registration to pay its expenses  
12 in administering sections 214.270 to 214.410, RSMo. All interest earned on money deposited  
13 in the endowed care cemetery audit fund shall be credited to the endowed care cemetery fund.  
14 Notwithstanding the provisions of section 33.080, RSMo, to the contrary, money placed in the  
15 endowed care cemetery audit fund shall not be transferred and placed to the credit of general  
16 revenue until the amount in the fund at the end of the biennium exceeds three times the amount  
17 of the appropriation from the endowed care cemetery audit fund for the preceding fiscal year.  
18 The money deposited in the public health services fund under this section shall be deposited in  
19 a separate account in the fund, and moneys in such account, upon appropriation, shall be used  
20 to automate and improve the state vital records system, and develop and maintain an electronic  
21 birth and death registration system which shall be implemented no later than December 31, 2009.  
22 For any search of the files and records, when no record is found, the state shall be entitled to a  
23 fee equal to the amount for a certification of a vital record for a five-year search to be paid by the  
24 applicant. For the processing of each legitimation, adoption, court order or recording after the  
25 registrant's twelfth birthday, the state shall be entitled to a fee equal to the amount for a  
26 certification of a vital record. Except whenever a certified copy or copies of a vital record is  
27 required to perfect any claim of any person on relief, or any dependent of any person who was  
28 on relief for any claim upon the government of the state or United States, the state registrar shall,  
29 upon request, furnish a certified copy or so many certified copies as are necessary, without any  
30 fee or compensation therefor.

31       2. For the issuance of a certification of a death record by the local registrar, the applicant  
32 shall pay a fee of thirteen dollars for the first certification or copy and a fee of ten dollars for each  
33 additional copy ordered at that time. For the issuance of a certification or copy of a birth,  
34 marriage, divorce, or fetal death record, the applicant shall pay a fee of fifteen dollars; **except**  
35 **that, in any county with a charter form of government and with more than six hundred**  
36 **thousand but fewer than seven hundred thousand inhabitants, a donation of one dollar**  
37 **may be collected by the local registrar over and above any fees required by law when a**  
38 **certification or copy of any marriage license or birth certificate is provided, with such**  
39 **donations collected to be forwarded monthly by the local registrar to the county treasurer**  
40 **of such county and the donations so forwarded to be deposited by the county treasurer into**  
41 **the housing resource commission fund to assist homeless families and provide financial**  
42 **assistance to organizations addressing homelessness in such county. The local registrar**  
43 **shall include a check-off box on the application form for such copies. All fees, other than**

44 **the donations collected in any county with a charter form of government and with more**  
45 **than six hundred thousand but fewer than seven hundred thousand inhabitants for**  
46 **marriage licenses and birth certificates,** shall be deposited to the official city or county health  
47 agency. A certified copy of a death record by the local registrar can only be issued within  
48 twenty-four hours of receipt of the record by the local registrar. Computer-generated  
49 certifications of death records may be issued by the local registrar after twenty-four hours of  
50 receipt of the records. The fees paid to the official county health agency shall be retained by the  
51 local agency for local public health purposes.

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