

FIRST REGULAR SESSION

HOUSE BILL NO. 1135

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DINKINS.

2360H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 193.265, RSMo, and to enact in lieu thereof one new section relating to the waiver of fees for birth certificates for certain victims.

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

Section A. Section 193.265, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 193.265, to read as follows:

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. No fee shall be required or collected for a certification of birth, death, or marriage if the request for certification is made by the children's division, the division of youth services, a guardian ad litem, or a juvenile officer on behalf of a child or person under twenty-one years of age who has come under the jurisdiction of the juvenile court under section 211.031. 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 audit fund, and three dollars for the first copy of death records and five dollars for birth, marriage, divorce, and fetal death records shall be credited to the Missouri public services health fund established in section 192.900. Money in the endowed care cemetery audit fund shall be available by appropriation to the division of professional registration to pay its expenses in administering sections 214.270 to 214.410. All interest earned on money deposited in the endowed care cemetery audit fund shall be credited to the endowed care cemetery fund.

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.

18 Notwithstanding the provisions of section 33.080 to the contrary, money placed in the endowed
19 care cemetery audit fund shall not be transferred and placed to the credit of general revenue until
20 the amount in the fund at the end of the biennium exceeds three times the amount of the
21 appropriation from the endowed care cemetery audit fund for the preceding fiscal year. The
22 money deposited in the public health services fund under this section shall be deposited in a
23 separate account in the fund, and moneys in such account, upon appropriation, shall be used to
24 automate and improve the state vital records system, and develop and maintain an electronic
25 birth and death registration system. For any search of the files and records, when no record is
26 found, the state shall be entitled to a fee equal to the amount for a certification of a vital record
27 for a five-year search to be paid by the applicant. For the processing of each legitimation,
28 adoption, court order or recording after the registrant's twelfth birthday, the state shall be entitled
29 to a fee equal to the amount for a certification of a vital record. Except whenever a certified copy
30 or copies of a vital record is required to perfect any claim of any person on relief, or any
31 dependent of any person who was on relief for any claim upon the government of the state or
32 United States, the state registrar shall, upon request, furnish a certified copy or so many certified
33 copies as are necessary, without any fee or compensation therefor.

34 2. For the issuance of a certification of a death record by the local registrar, the applicant
35 shall pay a fee of thirteen dollars for the first certification or copy and a fee of ten dollars for each
36 additional copy ordered at that time. For the issuance of a certification or copy of a birth,
37 marriage, divorce, or fetal death record, the applicant shall pay a fee of fifteen dollars; except
38 that, in any county with a charter form of government and with more than six hundred thousand
39 but fewer than seven hundred thousand inhabitants, a donation of one dollar may be collected
40 by the local registrar over and above any fees required by law when a certification or copy of any
41 marriage license or birth certificate is provided, with such donations collected to be forwarded
42 monthly by the local registrar to the county treasurer of such county and the donations so
43 forwarded to be deposited by the county treasurer into the housing resource commission fund to
44 assist homeless families and provide financial assistance to organizations addressing
45 homelessness in such county. The local registrar shall include a check-off box on the application
46 form for such copies. All fees, other than the donations collected in any county with a charter
47 form of government and with more than six hundred thousand but fewer than seven hundred
48 thousand inhabitants for marriage licenses and birth certificates, shall be deposited to the official
49 city or county health agency. A certified copy of a death record by the local registrar can only
50 be issued within twenty-four hours of receipt of the record by the local registrar.
51 Computer-generated certifications of death records may be issued by the local registrar after
52 twenty-four hours of receipt of the records. The fees paid to the official county health agency
53 shall be retained by the local agency for local public health purposes.

54 **3. (1) Notwithstanding any provision of law, no fee shall be required or collected**
55 **for a certification of birth if the request is made by a victim of domestic violence or abuse,**
56 **as those terms are defined in section 455.010, and if the victim is engaged in services from**
57 **a domestic or sexual violence agency that is accredited with the Missouri Coalition Against**
58 **Domestic and Sexual Violence so long as the victim provides proper documentation from**
59 **the agency indicating that the victim is involved with agency. Such documentation may**
60 **include, but is not limited to, a letter of residency on the letterhead of the agency.**

61 **(2) A victim may only be eligible one time for a fee waiver under this subsection.**

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