

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 341

Short Title: Vital Records Fees.

(Public)

Sponsors: Senator Hyde.

Referred to: Finance.

March 28, 1991

A BILL TO BE ENTITLED

AN ACT TO INCREASE VITAL RECORDS FEES AND TO ESTABLISH A
NONREVERTING VITAL RECORDS AUTOMATION FUND.

The General Assembly of North Carolina enacts:

Section 1. G.S. 130A-93 reads as rewritten:

"§ 130A-93. Access to vital records; copies.

(a) Only the State Registrar shall have access to original vital records.

(b) The State Registrar shall provide copies or abstracts of vital records, except those described in subsections (d), (e), (f) and (g), to any person upon request.

(c) The State Registrar shall provide certified copies of vital records, except those described in subsections (d), (e), (f), and (g), only to the following:

(1) A person requesting a copy of the person's own vital records or that of the person's spouse, child, parent, brother or sister;

(2) A person seeking information for a legal determination of personal or property rights; or

(3) An authorized agent, attorney or legal representative of a person described above.

(d) Copies, certified copies or abstracts of birth certificates of adopted persons shall be provided in accordance with G.S. 48-29.

(e) Copies or abstracts of the health and medical information contained on birth certificates shall be provided only to a person requesting a copy of the health and medical information contained on the person's own birth certificate, a person authorized by that person, or a person who will use the information for research purposes. The

1 State Registrar shall adopt rules providing for the use of this information for research
2 purposes.

3 (f) Copies, certified copies or abstracts of new birth certificates issued to persons
4 in the federal witness protection program shall be provided only to a person requesting a
5 copy of the person's own birth certificate and that person's supervising federal marshall.

6 (g) No copies, certified copies or abstracts of vital records shall be provided to a
7 person purporting to request copies, certified copies or abstracts of that person's own
8 vital records upon determination that the person whose vital records are being requested
9 is deceased.

10 (h) A certified copy issued under the provisions of this section shall have the
11 same evidentiary value as the original and shall be prima facie evidence of the facts
12 stated in the document. The State Registrar may appoint agents who shall have the
13 authority to issue certified copies under a facsimile signature of the State Registrar.
14 These copies shall have the same evidentiary value as those issued by the State
15 Registrar.

16 (i) ~~The State Registrar shall be entitled to a fee not to exceed five dollars (\$5.00)~~
17 ~~for issuing any copy of a vital record or for conducting a search of the files for the~~
18 ~~records when no copy is made. An account of all fees received shall be kept and the fees~~
19 ~~turned over to the State Treasurer for use by the Department for public health purposes.~~
20 Fees for issuing any copy of a vital record or for conducting a search of the files when
21 no copy is made shall be as established in G.S. 130A-93.1.

22 (j) No person shall prepare or issue any certificate which purports to be an
23 official certified copy of a vital record except as authorized in this Article or the rules."

24 Sec. 2. Chapter 130A of the General Statutes is amended by adding the
25 following new section to read:

26 **"§ 130A-93.1. Fees for vital records copies or search; automation fund.**

27 (a) The State Registrar shall collect, process, and utilize fees for services as
28 follows:

29 (1) A fee not to exceed ten dollars (\$10.00) shall be charged for issuing
30 any copy of a vital record or for conducting a routine search of the
31 files for the record when no copy is made.

32 (2) A fee not to exceed ten dollars (\$10.00) shall be charged in addition to
33 the fee charged under subdivision (1) of this subsection and to all
34 shipping and commercial charges when expedited service is
35 specifically requested.

36 (3) An account of all fees received shall be kept and the fees turned over
37 to the State Treasurer for use by the Department, subject to
38 appropriation by the General Assembly, for public health purposes.

39 (b) A nonreverting vital records automation fund is established with the State
40 Treasurer for the purpose of fully automating the system of vital records provided for in
41 this Article. Five dollars (\$5.00) of each fee collected pursuant to subdivision (1) of
42 subsection (a) of this section shall be deposited to the fund. Subject to appropriation by
43 the General Assembly, the Department shall utilize the fund to fully automate the vital
44 records system. When funds sufficient to fully automate the system have accumulated

1 in the fund, fees shall no longer be deposited to the fund but shall be deposited and
2 utilized in accordance with subdivision (3) of subsection (a) of this section."

3 Sec. 3. This act becomes effective July 1, 1991.