

2016 Regular Session

SENATE BILL NO. 350

BY SENATOR LUNEAU

VITAL STATISTICS. Provides for issuance of long-form birth records and death certificates. (8/1/16)

1 AN ACT

2 To amend and reenact R.S. 40:39.1(B), relative to vital records; to provide for issuance of
3 long-form birth records or death certificates; to provide for payment of fees for these
4 certificates; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 40:39.1(B) is hereby amended and reenacted to read as follows:

7 §39.1. Certified copies of birth certificates and death certificates; clerks of district
8 courts and the Second City Court of the city of New Orleans; Vital
9 Records Conversion Fund

10 * * *

11 B.(1) The clerk of district court in each parish and the clerk of the Second
12 City Court of the city of New Orleans may issue certified copies of short-form birth
13 certificate cards and long-form birth certificates and death certificates in accordance
14 with rules promulgated pursuant to Subsection A of this Section. In addition to fees
15 collected for issuance of a birth record or death certificate as provided in R.S. 40:40,
16 the clerk of court shall collect a fee of five dollars for a short-form birth certificate
17 and ~~nine~~ **fifteen** dollars for a long-form birth certificate or a death certificate.

1 (2) Clerks shall pay to the state registrar such amounts as are required in R.S.
2 40:40. ~~In addition, four dollars for each long-form birth certificate or death~~
3 ~~certificate issued by each clerk of court shall be remitted to the state treasurer on the~~
4 ~~tenth day of each month for deposit in the state treasury. The funds deposited shall~~
5 ~~be credited to the Bond Security and Redemption Fund. Out of the funds remaining~~
6 ~~in the Bond Security and Redemption Fund after a sufficient amount is allocated to~~
7 ~~pay all obligations secured by the full faith and credit of the state which become due~~
8 ~~and payable in any fiscal year, the treasurer shall credit to the Vital Records~~
9 ~~Conversion Fund, hereby created, an amount equal to the funds deposited under the~~
10 ~~provisions of this Section.~~

11 (3) ~~The monies held in the Vital Records Conversion Fund shall only be~~
12 ~~appropriated with the mutual consent of the secretary of state and the secretary of the~~
13 ~~Department of Health and Hospitals for the following purposes:~~

14 (a) ~~For installation and establishment of a communications network and~~
15 ~~computer hardware to provide for the electronic issuance of birth and death~~
16 ~~certificates.~~

17 (b) ~~For maintenance of the communications network and related computer~~
18 ~~hardware.~~

19 (c) ~~For conversion of existing birth and death records to a format suitable for~~
20 ~~electronic issuance.~~

21 (4) ~~All unexpended and unencumbered monies in the fund at the end of the~~
22 ~~fiscal year shall remain in the fund. The monies in the fund shall be invested by the~~
23 ~~treasurer in the same manner as monies in the state general fund. All interest earned~~
24 ~~on monies invested by the treasurer shall be deposited in the fund.~~

25 (5) ~~Notwithstanding any other provision of law to the contrary, in addition~~
26 ~~to fees collected for issuance of a birth record or death certificate as provided in R.S.~~
27 ~~40:40, and Paragraph (1) of this Subsection, the clerks of district court in East~~
28 ~~Feliciania Parish and West Feliciania Parish may charge an additional ten dollar fee~~
29 ~~for issuance of certified copies of birth certificates and death certificates.~~

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Thomas L. Tyler.

DIGEST

SB 350 Original 2016 Regular Session Luneau

Present law authorizes district court clerks and the clerk of the Second City Court of the city of New Orleans to issue certified copies of short-form birth certificate cards and long-form birth certificates and death certificates. Requires the clerk of court to collect, in addition to fees collected for issuance of copies of birth records or death certificates, a five dollar fee for a short form and nine dollars for a long form which the clerk pays to the state registrar.

Proposed law increases the fee from nine dollars to fifteen dollars for a long form.

Present law requires the clerks to pay the fees collected for certified copies of birth records or death certificates to the state registrar. Proposed law retains this provision.

Present law requires that four dollars for each long-form birth certificate or death certificate be remitted to the state treasurer on the tenth day of each month for deposit in the state treasury and credited to the Vital Records Conversion Fund. Provides that monies in the fund only be appropriated with the mutual consent of the secretary of state and the secretary of DHH for the following purposes:

- (1) For installation and establishment of a communications network and computer hardware to provide for the electronic issuance of birth and death certificates.
- (2) For maintenance of the communications network and related computer hardware.
- (3) For conversion of existing birth and death records to a format suitable for electronic issuance.

Proposed law repeals these provisions.

Present law authorizes that the clerk of courts in East Feliciana Parish and West Feliciana Parish may charge an additional ten dollar fee for issuance of certified copies of birth certificates and death certificates. Proposed law repeals this provision.

Effective August 1, 2016.

(Amends R.S. 40:39.1(B))