

BILL ANALYSIS

C.S.H.B. 2990
By: Capelo
Public Health
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Approximately 1,000 children are born each day in Texas, resulting in significant increases in the number of births and death records processed each year. Birth and death records are registered by a local official prior to being sent to the Texas Department of Health's Bureau of Vital Statistics.

As proposed, this bill repeals current Texas law relating to the work and family policies fund, establishes a \$3.00 surcharge on birth certificates and a \$2.00 surcharge on death certificates, improves the vital statistics and finances the development of a comprehensive statewide electronic vital statistics reporting system at both the state and local level.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Board of Health in SECTION 2 (Section 191.005, Health and Safety Code) of this bill. It is the committee's opinion that rulemaking authority is expressly granted to the Texas Employment Commission in SECTION 7 (Section 81.007, Labor Code) of this bill. It is the committee's opinion that rulemaking authority is expressly granted to the Texas Department of Health in SECTION 4 (Section 193.0015, Health and Safety Code) of this bill.

ANALYSIS

The act increases the fee for certain documents from \$2 to \$5. Requires the fees collected to be deposited into the general revenue fund. Requires the Texas Department of Health's Bureau of Vital Statistics (BVS), to collect \$2 fee for issuing a certified copy of a death certificate. Requires the fees to be deposited in the state treasury to the credit of the vital statistics fund. Adds "enhancement" of the vital statistics system to the list of expenses that the fund is being used to defray. Authorizes TDH to award grants to local registration offices for enhancements to local systems.

The act requires a local registrar who collects a fee for a certified copy of a birth certificate to retain \$1.70, rather than to deduct 20 cents, of that fee and to remit \$3.30, rather than \$1.80, of that fee to the to the comptroller, instead of applying it to the registrar's administrative costs. Requires the comptroller to deposit \$1.80 of each amount remitted under this subsection in the general revenue fund and \$1.50 in the vital statistics fund. The act requires a local registrar who collects a fee for a certified copy of a death certificate to remit \$1 of that fee to the comptroller for deposit in the vital statistics fund. Authorizes a local registrar to use the fee retained only for administering the system of vital statistics.

The act requires a county clerk who collects a fee for a certified copy of a birth certificate to retain \$1.70, rather than to deduct 20 cents, of that fee and to remit \$3.30, rather than \$1.80, of that fee to the to the comptroller, instead of applying it to the registrar's administrative costs. Requires the comptroller to deposit \$1.80 of each amount remitted under this subsection in the general revenue fund and \$1.50 in the vital statistics fund. Requires a county clerk who collects a fee for a certified copy of a death certificate to remit \$1 of that fee to the comptroller for deposit in the vital statistics fund. Authorizes a county clerk to use the fee retained only for administering the system of vital statistics. The act repeals Section 81.006, Labor Code (Work and Family Policies Fund). The bill also allows the department to create an electronic filing system for death and fetal death certificates.

In addition a local registrar or other person required to file death and fetal death certificates who use the electronic filing system are not required to sign a report of a death or fetal death certificate.

EFFECTIVE DATE

September 1, 2003

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute differs from the original in that it makes changes in the amounts credited and deposited by the local registrars and county clerks. In addition the substitute allows the department to create an electronic filing system for death and fetal death certificates. The substitute also provides that a person required to file a death and fetal death certificate, in addition to a local registrar, who files in accordance with the electronic filing system is not required to sign a report of a death or fetal death certificates.