

By: Janek

S.B. No. 1553

A BILL TO BE ENTITLED

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AN ACT

relating to fees for copies of birth and death certificates.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 191.0045, Health and Safety Code, is amended by amending Subsections (d)-(g) and adding Subsection (h) to read as follows:

(d) A local registrar who issues a certified copy of a birth or death certificate shall charge the same fees as charged by the bureau of vital statistics, including the additional fees [~~fee~~] required under Subsections [~~Subsection~~] (e) and (h), except as provided by Subsection (g).

(e) In addition to fees collected by the bureau of vital statistics under Subsection (b), the bureau shall collect an additional \$5 [~~\$2~~] fee for each of the following:

(1) issuing a certified copy of a certificate of birth;

(2) issuing a wallet-sized certification of birth; and

(3) conducting a search for a certificate of birth.

(f) The fees collected under Subsection (e) shall be deposited in the state treasury as follows:

(1) \$2 to the credit of the general revenue fund; and

(2) \$3 to the credit of the vital statistics fund to be used only for the purposes prescribed by Sections 191.005(b) and (d) [~~work and family policies fund. Money in the fund may be used~~]

1 ~~only for the purposes prescribed by Section 81.006(a), Labor Code].~~

2 (g) A local registrar that on March 31, 1995, was charging a  
3 fee for the issuance of a certified copy of a birth certificate that  
4 exceeded the fee charged by the bureau of vital statistics for the  
5 same type of certificate may continue to do so but shall not raise  
6 this fee until the fee charged by the bureau exceeds the fee charged  
7 by the local registrar. A local registrar to which this subsection  
8 applies shall charge the additional fees [~~fee~~] as required under  
9 Subsections [~~Subsection~~] (e) and (h).

10 (h) In addition to fees collected by the bureau of vital  
11 statistics under Subsections (b) and (e), the bureau shall collect  
12 an additional \$2 fee for issuing a certified copy of a death  
13 certificate. The fees shall be deposited in the state treasury to  
14 the credit of the vital statistics fund.

15 SECTION 2. Section 191.005, Health and Safety Code, is  
16 amended by amending Subsection (b) and adding Subsection (d) to  
17 read as follows:

18 (b) The legislature shall make appropriations to the  
19 department from the fund to be used to defray expenses incurred in  
20 the administration, [~~and~~] enforcement, and enhancement of the  
21 system of vital statistics.

22 (d) From funds appropriated by the legislature, the  
23 department may award grants to local registration offices for  
24 enhancements to local systems in accordance with rules adopted by  
25 the board.

26 SECTION 3. Section 191.022, Health and Safety Code, is  
27 amended by amending Subsection (f) and adding Subsections (g) and

1 (h) to read as follows:

2 (f) A local registrar who collects a fee for a certified  
 3 copy of a birth certificate shall retain \$1.70 [~~deduct 20 cents~~] of  
 4 that fee [~~to apply to the registrar's administrative costs~~] and  
 5 remit \$3.30 [~~\$1.80~~] of that fee to the comptroller. The comptroller  
 6 shall [~~for~~] deposit one-half of each amount remitted under this  
 7 subsection in the general revenue fund and one-half in the vital  
 8 statistics [~~work and family policies~~] fund.

9 (g) A local registrar who collects a fee for a certified  
 10 copy of a death certificate shall remit \$1 of that fee to the  
 11 comptroller for deposit in the vital statistics fund.

12 (h) A local registrar may use the fee retained under  
 13 Subsection (f) only for administering the system of vital  
 14 statistics.

15 SECTION 4. Section 118.015, Local Government Code, is  
 16 amended by amending Subsection (b) and adding Subsections (c) and  
 17 (d) to read as follows:

18 (b) A county clerk who collects a fee under this section for  
 19 a certified copy of a birth certificate shall retain \$1.70 [~~deduct~~  
 20 ~~20 cents~~] of that fee [~~to apply to the clerk's administrative costs~~]  
 21 and remit \$3.30 [~~\$1.80~~] of that fee to the comptroller. The  
 22 comptroller shall [~~for~~] deposit one-half of each amount remitted  
 23 under this subsection in the general revenue fund and one-half in  
 24 the vital statistics [~~work and family policies~~] fund.

25 (c) A county clerk who collects a fee for a certified copy of  
 26 a death certificate shall remit \$1 of that fee to the comptroller  
 27 for deposit in the vital statistics fund.

1           (d) A county clerk may use the fee retained under Subsection  
2 (b) only for administering the system of vital statistics.

3           SECTION 5. Section 81.007, Labor Code, is amended to read as  
4 follows:

5           Sec. 81.007. RULES. The commission by rule may adopt  
6 procedures to implement functions under Sections 81.004 and~~[7]~~  
7 ~~81.005[7, and 81.006(b)]~~. In adopting rules under this section, the  
8 commission shall consider the recommendations of the clearinghouse  
9 staff.

10           SECTION 6. Section 81.006, Labor Code, is repealed.

11           SECTION 7. This Act takes effect September 1, 2003.