

1-1 By: Janek S.B. No. 1553
1-2 (In the Senate - Filed March 14, 2003; March 20, 2003, read
1-3 first time and referred to Committee on Health and Human Services;
1-4 April 22, 2003, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 6, Nays 1; April 22, 2003,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1553 By: Janek

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to fees for copies of birth and death certificates.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 191.0045, Health and Safety Code, is
1-13 amended by amending Subsections (d) through (g) and adding
1-14 Subsection (h) to read as follows:

1-15 (d) A local registrar who issues a certified copy of a birth
1-16 or death certificate shall charge the same fees as charged by the
1-17 bureau of vital statistics, including the additional fees [~~fee~~]
1-18 required under Subsections [~~Subsection~~] (e) and (h), except as
1-19 provided by Subsection (g).

1-20 (e) In addition to fees collected by the bureau of vital
1-21 statistics under Subsection (b), the bureau shall collect an
1-22 additional \$5 [~~\$2~~] fee for each of the following:

1-23 (1) issuing a certified copy of a certificate of
1-24 birth;

1-25 (2) issuing a wallet-sized certification of birth; and

1-26 (3) conducting a search for a certificate of birth.

1-27 (f) The fees collected under Subsection (e) shall be
1-28 deposited in the state treasury as follows:

1-29 (1) \$2 to the credit of the general revenue fund; and

1-30 (2) \$3 to the credit of the vital statistics fund to be
1-31 used only for the purposes prescribed by Sections 191.005(b) and

1-32 (d) [~~work and family policies fund. Money in the fund may be used~~
1-33 ~~only for the purposes prescribed by Section 81.006(a), Labor Code].~~

1-34 (g) A local registrar that on March 31, 1995, was charging a
1-35 fee for the issuance of a certified copy of a birth certificate that
1-36 exceeded the fee charged by the bureau of vital statistics for the
1-37 same type of certificate may continue to do so but shall not raise
1-38 this fee until the fee charged by the bureau exceeds the fee charged
1-39 by the local registrar. A local registrar to which this subsection
1-40 applies shall charge the additional fees [~~fee~~] as required under
1-41 Subsections [~~Subsection~~] (e) and (h).

1-42 (h) In addition to fees collected by the bureau of vital
1-43 statistics under Subsections (b) and (e), the bureau shall collect
1-44 an additional \$2 fee for issuing a certified copy of a death
1-45 certificate. The fees shall be deposited in the state treasury to
1-46 the credit of the vital statistics fund.

1-47 SECTION 2. Section 191.005, Health and Safety Code, is
1-48 amended by amending Subsection (b) and adding Subsection (d) to
1-49 read as follows:

1-50 (b) The legislature shall make appropriations to the
1-51 department from the fund to be used to defray expenses incurred in
1-52 the administration, [~~and~~] enforcement, and enhancement of the
1-53 system of vital statistics.

1-54 (d) From funds appropriated by the legislature, the
1-55 department may award grants to local registration offices for
1-56 enhancements to local systems in accordance with rules adopted by
1-57 the board.

1-58 SECTION 3. Section 191.022, Health and Safety Code, is
1-59 amended by amending Subsection (f) and adding Subsections (g) and
1-60 (h) to read as follows:

1-61 (f) A local registrar who collects a fee for a certified
1-62 copy of a birth certificate shall retain \$1.70 [~~deduct 20 cents~~] of
1-63 that fee [~~to apply to the registrar's administrative costs~~] and

2-1 remit \$3.30 [~~\$1.80~~] of that fee to the comptroller. The comptroller
2-2 shall ~~[for]~~ deposit \$1.80 in the general revenue fund and \$1.50 in
2-3 the vital statistics ~~[work and family policies]~~ fund.

2-4 (g) A local registrar who collects a fee for a certified
2-5 copy of a death certificate shall remit \$1 of that fee to the
2-6 comptroller for deposit in the vital statistics fund.

2-7 (h) A local registrar may use the fee retained under
2-8 Subsection (f) only for administering the system of vital
2-9 statistics.

2-10 SECTION 4. Section 118.015, Local Government Code, is
2-11 amended by amending Subsection (b) and adding Subsections (c) and
2-12 (d) to read as follows:

2-13 (b) A county clerk who collects a fee under this section for
2-14 a certified copy of a birth certificate shall retain \$1.70 [~~deduct~~
2-15 ~~20 cents~~] of that fee [~~to apply to the clerk's administrative~~
2-16 ~~costs~~] and remit \$3.30 [~~\$1.80~~] of that fee to the comptroller. The
2-17 comptroller shall ~~[for]~~ deposit \$1.80 in the general revenue fund
2-18 and \$1.50 in the vital statistics ~~[work and family policies]~~ fund.

2-19 (c) A county clerk who collects a fee for a certified copy of
2-20 a death certificate shall remit \$1 of that fee to the comptroller
2-21 for deposit in the vital statistics fund.

2-22 (d) A county clerk may use the fee retained under Subsection
2-23 (b) only for administering the system of vital statistics.

2-24 SECTION 5. Section 81.007, Labor Code, is amended to read as
2-25 follows:

2-26 Sec. 81.007. RULES. The commission by rule may adopt
2-27 procedures to implement functions under Sections 81.004 and~~[7]~~
2-28 81.005~~[, and 81.006(b)]~~. In adopting rules under this section, the
2-29 commission shall consider the recommendations of the clearinghouse
2-30 staff.

2-31 SECTION 6. Section 81.006, Labor Code, is repealed.

2-32 SECTION 7. This Act takes effect September 1, 2003.

2-33 * * * * *