

## **BILL ANALYSIS**

S.B. 1524  
By: Zaffirini  
Public Health  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Current law permits local registrars to assess a \$1 fee for the preservation of certain vital statistics records. These records may include birth, death and fetal death as well other records. Current law provides that the justice of the peace is the local registrar for births and deaths unless the duty of registering births and deaths is transferred to the county clerk. Therefore, county clerks who are not designated as local registrars are unable to assess and collect this fee thereby yielding inconsistent fees assessed depending on the county in which the record is sought.

The bill proposes to add county clerk to the statute permitting for the collection of the \$1 surcharge for the preservation of certain vital statistics records. Additionally, the bill proposes language to clarify that the \$1 fee applies to birth records issued through the Remote Birth Access site. Some local registrars and/or county clerks are also designated as Remote Birth Access sites. These offices are linked to the Texas Department of Health/Bureau of Vital Statistics birth database, which allows for the printing of birth certificates recorded in any county in Texas.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

The bill amends the Health and Safety Code, to include county clerks to those who may charge fees for certified copies of birth and death records that are the same as the fees charged by the bureau of vital statistics, and if the fee charged on March 31, 1995, exceeded the fee charged by the bureau of vital statistics they may continue to do so but shall not raise this fee until the fee charged by the bureau exceeds the fee charged by the local registrar or county clerk. A fee not to exceed one dollar may be charged for the preservation of vital statistics records that they maintain, to include records issued through a Remote Birth Access site.

The bill applies only to a fee for a vital statistic record issued on or after September 1, 2005.

### **EFFECTIVE DATE**

September 1, 2005.