

BILL ANALYSIS

H.B. 3253
By: Zerwas
Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Birth records are maintained by the Vital Statistics Unit within the Department of State Health Services in both paper and electronic form. Local registrars and county clerks also maintain copies of birth records of the registrants born in the district or county, as applicable. Upon the death of an individual younger than 55 years of age, the state registrar and the local registrar or county clerk are required to mark the paper records conspicuously as "deceased." Interested parties assert that this process is known as a birth-death match and is very important because individuals in this age category are much more susceptible to identity theft.

Ensuring that birth records are stamped as "deceased" aids both governmental agencies and private entities, such as banks and credit unions. The parties contend that including deceased individuals over 55 years of age in the birth-death match process will provide consistency and accuracy to the state's records and further prevent identity theft and fraud because older citizens may have pensions, retirement funds, or life insurance policies that may be at risk if their identities are stolen. H.B. 3253 seeks to reduce the incidence of fraud and identity theft by ensuring that the birth records of deceased persons in Texas are properly marked.

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

H.B. 3253 amends the Health and Safety Code to require the state registrar, on receipt of the death certificate of a person whose birth is registered in Texas, to conspicuously note the person's date of death, rather than make a conspicuous notation that the person is dead, on the person's birth certificate and removes a provision limiting the applicability of the requirement to the death certificate of a person younger than 55 years old. The bill requires the state registrar to notify the county clerk of the county in which the person was born and the local registrar of the registration district in which the person was born of the person's death, rather than provide computer-generated abstracts, transcripts, or copies of the death certificate to those entities. The bill requires a county clerk or local registrar, on receipt of the notification of death, to conspicuously note the person's date of death, rather than make a conspicuous notation that the person is dead, on the person's birth certificate.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.