

1-1 By: Zerwas (Senate Sponsor - Nelson) H.B. No. 3253  
 1-2 (In the Senate - Received from the House April 29, 2013;  
 1-3 April 30, 2013, read first time and referred to Committee on Health  
 1-4 and Human Services; May 13, 2013, reported adversely, with  
 1-5 favorable Committee Substitute by the following vote: Yeas 7,  
 1-6 Nays 0; May 13, 2013, sent to printer.)

1-7 COMMITTEE VOTE

|                 | Yea | Nay | Absent | PNV |
|-----------------|-----|-----|--------|-----|
| 1-8 Nelson      | X   |     |        |     |
| 1-9 Deuell      | X   |     |        |     |
| 1-10 Huffman    | X   |     |        |     |
| 1-11 Nichols    | X   |     |        |     |
| 1-12 Schwertner | X   |     |        |     |
| 1-13 Taylor     |     |     | X      |     |
| 1-14 Uresti     | X   |     |        |     |
| 1-15 West       |     |     | X      |     |
| 1-16 Zaffirini  | X   |     |        |     |

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 3253 By: Nelson

1-19 A BILL TO BE ENTITLED  
 1-20 AN ACT

1-21 relating to the notation of death on a birth certificate and the  
 1-22 release of birth certificate information for certain purposes.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 191.034, Health and Safety Code, is  
 1-25 amended to read as follows:

1-26 Sec. 191.034. NOTATION OF DEATH ON BIRTH CERTIFICATE. (a)  
 1-27 On receipt of the death certificate of a person [~~younger than 55~~  
 1-28 ~~years of age~~] whose birth is registered in this state, the state  
 1-29 registrar shall conspicuously note the person's date of death [~~make~~  
 1-30 ~~a conspicuous notation~~] on the person's [~~decedent's~~] birth  
 1-31 certificate [~~that the person is dead~~].

1-32 (b) The state registrar shall notify [~~provide~~  
 1-33 ~~computer-generated abstracts, transcripts, or copies of the death~~  
 1-34 ~~certificate to~~] the county clerk of the county in which the person  
 1-35 [~~decedent~~] was born and [~~to~~] the local registrar of the  
 1-36 registration district in which the person [~~decedent~~] was born of  
 1-37 the person's death. On receipt of the notification of death, the  
 1-38 county clerk or local registrar shall conspicuously note the  
 1-39 person's date of death [~~make a conspicuous notation~~] on the person's  
 1-40 [~~decedent's~~] birth certificate [~~that the person is dead~~].

1-41 SECTION 2. Section 192.002(b), Health and Safety Code, is  
 1-42 amended to read as follows:

1-43 (b) The section of the birth certificate entitled "For  
 1-44 Medical and Health Use Only" is not part of the legal birth  
 1-45 certificate. Information held by the department under that section  
 1-46 of the certificate is confidential. That information may not be  
 1-47 released or made public on subpoena or otherwise, except that  
 1-48 release may be made for statistical purposes only so that no person,  
 1-49 patient, or facility is identified, or to medical personnel of a  
 1-50 health care entity, as that term is defined in Subtitle B, Title 3,  
 1-51 Occupations Code, or to a faculty member at a medical school, as  
 1-52 that term is defined in Section 61.501, Education Code, for  
 1-53 statistical or medical research, or to appropriate state or federal  
 1-54 agencies for statistical research. The board may adopt rules to  
 1-55 implement this subsection.

1-56 SECTION 3. This Act takes effect immediately if it receives  
 1-57 a vote of two-thirds of all the members elected to each house, as  
 1-58 provided by Section 39, Article III, Texas Constitution. If this  
 1-59 Act does not receive the vote necessary for immediate effect, this  
 1-60 Act takes effect September 1, 2013.

1-61 \* \* \* \* \*