

SENATE AMENDMENTS

2nd Printing

By: Zerwas

H.B. No. 3253

A BILL TO BE ENTITLED

AN ACT

relating to the notation of death on a birth certificate.

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

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

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

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

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this

H.B. No. 3253

1 Act takes effect September 1, 2013.

ADOPTED

MAY 20 2013


Secretary of the Senate

By: Nelson

H.B. No. 3253

Substitute the following for H.B. No. 3253.

By: Gene Nelson

C.S. H.B. No. 3253

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the notation of death on a birth certificate and the
3 release of birth certificate information for certain purposes.

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

5 SECTION 1. Section 191.034, Health and Safety Code, is
6 amended to read as follows:

7 Sec. 191.034. NOTATION OF DEATH ON BIRTH CERTIFICATE. (a)
8 On receipt of the death certificate of a person [~~younger than 55~~
9 ~~years of age~~] whose birth is registered in this state, the state
10 registrar shall conspicuously note the person's date of death [~~make~~
11 ~~a conspicuous notation~~] on the person's [~~decedent's~~] birth
12 certificate [~~that the person is dead~~].

13 (b) The state registrar shall notify [~~provide~~
14 ~~computer-generated abstracts, transcripts, or copies of the death~~
15 ~~certificate to~~] the county clerk of the county in which the person
16 [~~decedent~~] was born and [~~to~~] the local registrar of the
17 registration district in which the person [~~decedent~~] was born of
18 the person's death. On receipt of the notification of death, the
19 county clerk or local registrar shall conspicuously note the
20 person's date of death [~~make a conspicuous notation~~] on the person's
21 [~~decedent's~~] birth certificate [~~that the person is dead~~].

22 SECTION 2. Section 192.002(b), Health and Safety Code, is
23 amended to read as follows:

24 (b) The section of the birth certificate entitled "For

1 Medical and Health Use Only" is not part of the legal birth
2 certificate. Information held by the department under that section
3 of the certificate is confidential. That information may not be
4 released or made public on subpoena or otherwise, except that
5 release may be made for statistical purposes only so that no person,
6 patient, or facility is identified, or to medical personnel of a
7 health care entity, as that term is defined in Subtitle B, Title 3,
8 Occupations Code, or to a faculty member at a medical school, as
9 that term is defined in Section 61.501, Education Code, for
10 statistical or medical research, or to appropriate state or federal
11 agencies for statistical research. The board may adopt rules to
12 implement this subsection.

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

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 21, 2013

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3253 by Zerwas (Relating to the notation of death on a birth certificate and the release of birth certificate information for certain purposes.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would amend the Health and Safety Code relating to the notation of death on a birth certificate and the release of birth certificate information for certain purposes. The bill would require a notation of the date of death on every person's birth certificate who was born in Texas once death occurs. Additionally, the bill would allow certain information held by the department related to birth certificates to be released to a faculty member at a medical school for statistical or medical research.

The bill would take effect immediately if a two-thirds majority vote in both houses of the Legislature is received, otherwise the bill would take effect on September 1, 2013. Based on the analysis provided by the Department of State Health Services, it is assumed that the provisions of the bill can be implemented within existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 537 State Health Services, Department of

LBB Staff: UP, SD, KKR, CL, CH, NB

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 13, 2013

TO: Honorable Jane Nelson, Chair, Senate Committee on Health & Human Services

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3253 by Zerwas (Relating to the notation of death on a birth certificate and the release of birth certificate information for certain purposes.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Health and Safety Code relating to the notation of death on a birth certificate and the release of birth certificate information for certain purposes. The bill would require a notation of the date of death on every person's birth certificate who was born in Texas once death occurs. Additionally, the bill would allow certain information held by the department related to birth certificates to be released to a faculty member at a medical school for statistical or medical research.

The bill would take effect immediately if a two-thirds majority vote in both houses of the Legislature is received, otherwise the bill would take effect on September 1, 2013. Based on the analysis provided by the Department of State Health Services, it is assumed that the provisions of the bill can be implemented within existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 537 State Health Services, Department of

LBB Staff: UP, KKR, CL, CH, NB

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 3, 2013

TO: Honorable Jane Nelson, Chair, Senate Committee on Health & Human Services

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3253 by Zerwas (Relating to the notation of death on a birth certificate.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Health and Safety Code relating to the notation of death on a birth certificate. The bill would require a notation of deceased on every person's birth certificate who was born in Texas when death occurs. The bill would take effect immediately if a two-thirds majority vote in both houses of the Legislature is received. Otherwise, the bill would take effect on September 1, 2013. Based on the analysis provided by the Department of State Health Services, it is assumed that the provisions of the bill can be implemented within existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 537 State Health Services, Department of

LBB Staff: UP, CL, CH, NB, KKR

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 2, 2013

TO: Honorable Lois W. Kolchhorst, Chair, House Committee on Public Health

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3253 by Zerwas (Relating to the notation of death on a birth certificate.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Health and Safety Code relating to the notation of death on a birth certificate. The bill would require a notation of deceased on every person's birth certificate who was born in Texas when death occurs. The bill would take effect immediately if a two-thirds majority vote in both houses of the Legislature is received. Otherwise, the bill would take effect on September 1, 2013. Based on the analysis provided by the Department of State Health Services, it is assumed that the provisions of the bill can be implemented within existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 537 State Health Services, Department of

LBB Staff: UP, CL, CH, NB, KKR