

To the Honorable Senate:

The Committee on Government Operations to which was referred House Bill No. H. 629 entitled: "An act relating to a study committee to examine laws related to the administration and issuance of vital records"

respectfully report that it has considered the same and recommend that the bill ought to pass in concurrence.

(Committee vote: 5-0-0)

A handwritten signature in cursive script that reads "Jeanette White". The signature is written in black ink and is positioned above a horizontal line.

Senator White
FOR THE COMMITTEE

ORIGINAL

BILL AS PASSED BY THE HOUSE
2016

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H.629

Introduced by Representatives Devereux of Mount Holly and Martin of

Wolcott

Date:

Subject: Government operations; health; vital records

Statement of purpose of bill as introduced: This bill proposes to amend
statutes related to the administration and issuance of vital records.

~~An act relating to the administration and issuance of vital records. An act
relating to a study committee to examine laws related to the administration
and issuance of vital records~~

It is hereby enacted by the General Assembly of the State of Vermont:

~~*** Vital Records Generally ***~~

~~Sec. 1. REPEAL~~

~~18 V.S.A. chapter 101 (vital records generally) is repealed.~~

~~Sec. 2. 18 V.S.A. chapter 102 is added to read:~~

~~CHAPTER 102. VITAL RECORDS GENERALLY~~

~~§ 5031. DEFINITIONS~~

~~As used in this part, the words and phrases below shall have the following
meanings unless the context requires otherwise.~~

~~(1) "Attending physician" means a physician who has completed
medical training and residency and is responsible for coordinating a patient's
care, including supervising the care provided by interns, residents, or medical~~

1 ~~(b) Transition provision. Notwithstanding 18 V.S.A. §§ 5005(b),~~
2 ~~5006–5010, 5013, and 5015, on and after January 1, 2017, town and county~~
3 ~~clerks shall be relieved of any role or duties with respect to receipt, reporting,~~
4 ~~filing, recording, copying, forwarding, or indexing any birth or death~~
5 ~~certificates, and shall not be subject to a fine under 18 V.S.A. § 5011 with~~
6 ~~respect to failure to transmit birth or death certificates under 18 V.S.A. § 5010.~~

Sec. 1. VITAL RECORDS STUDY COMMITTEE; REPORT

(a) Creation and membership. There is created a Vital Records Study Committee composed of the following members:

(1) one current member of the House of Representatives, who shall be appointed by the Speaker of the House;

(2) one current member of the Senate, who shall be appointed by the Committee on Committees;

(3) the State Archivist or designee;

(4) the Commissioner of Health or designee;

(5) a town clerk appointed by the Vermont Municipal Clerks' and Treasurers' Association.

(b) Powers and duties. The Committee shall study Vermont's laws governing the administration and issuance of vital records and best practices in other jurisdictions with regard to the administration and issuance of vital records, and recommend proposed legislation to reform Vermont's vital

records laws. At a minimum, the Committee's recommendations shall address the following issues:

(1) the persons who should be entitled to receive certified copies of birth and death certificates and the process and evidence used to verify the identity of such persons;

(2) the collection and maintenance of information about persons who request certified copies of vital records;

(3) the persons who should have authority to issue certified copies of vital records and the process and standards under which such persons should be granted such authority and audited for compliance;

(4) physical requirements and security standards for storage of vital record certificates and related supplies;

(5) whether the existing process for filing and registering birth certificates should be streamlined;

(6) the penalties that should be associated with fraudulent activities related to vital records;

(7) which vital records or specific information contained in vital records should be designated confidential and any exceptions to confidentiality that should be created;

(8) rulemaking that the Department of Health should be required to carry out related to the administration and issuance of vital records;

(9) appropriate fees for certified and informational copies of vital records; and

(10) effective dates and any transition provisions needed to implement the Committee's recommendations.

(c) Assistance. The Committee shall receive technical assistance from the Office of the Secretary of State and from the Department of Health. For purposes of scheduling meetings and preparing recommended legislation, the Committee shall have the assistance of the Office of Legislative Council.

(d) Report. On or before November 15, 2016, the Committee shall submit a written report to the House and Senate Committees on Government Operations with its findings and recommendations for proposed legislation.

(e) Meetings.

(1) The legislative members shall co-chair the Committee.

(2) The co-chairs shall call the first meeting of the Committee to occur on or before June 15, 2016.

(3) A majority of the membership shall constitute a quorum.

(f) Termination. The Committee shall cease to exist on January 15, 2017.

(g) Reimbursement. For attendance at meetings during adjournment of the General Assembly, legislative members of the Committee shall be entitled to per diem compensation and reimbursement of expenses pursuant to 2 V.S.A. § 406 for no more than four meetings.

Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.