

## Vital Records Primer

### Historical Background

- For most of Vermont's history, vital records were recorded and maintained at the local level. Town clerks have been mandated to record births, deaths, and marriages since 1779.
- Vermont established a state registry of births, deaths, and marriages in 1856. The Secretary of State was charged with the duty to bind and index the annual lists of vital events that were submitted by town clerks.
- In 1902, the State Board of Health was charged with the duty to collect the annual lists, prepare statistical tables regarding vital events, and deliver the lists to the Secretary of State for preservation.
- In 1980, the General Assembly charged the Department of Health with responsibilities previously assigned to the Secretary of State.

### 2016 Act No. 110

- 2016 Act No. 110 established the Vital Records Study Committee to study Vermont's vital records system and propose reforms to Vermont's vital records laws. The Study Committee was composed of members representing the Department of Health, the State Archivist, the Probate Division, and municipal clerks.
- The Study Committee recommended:
  - Eliminating the "patchwork" collection of vital event data and enacting legislation that requires the complete, timely, accurate, and reliable collection of vital event data.
  - Consolidating the duty to collect vital event information under a "single point of administration."
  - Establishing a "single civil registration system" for all vital events under the centralized administration.
  - Authorizing the single point of administration to delegate certain vital event recording authority to local officials and determine by rule the duties of those local officials.
  - Limiting the individuals to whom a vital record may be issued.
  - Increasing the fees for the issuance of certified vital records.

### 2017 Act No. 46

- Established uniform definitions for Vermont's vital records system, including what constitutes a "vital event certificate" and a "vital record."
- Established the Statewide Registration System and charged the State Registrar of Vital Records with the duty to operate the System. The System was designated as

- the sole repository of data from birth and death certificates on or after January 1, 1909.
- Charged the State Registrar with the duty to register all birth and death certificates in the System. This duty was previously assigned to town clerks.
  - Provided that only “issuing agents” (authorized representatives of the State Registrar and town clerks) are authorized to issue certified and noncertified copies of birth and death certificates.
  - Limited the inspection of vital records and the issuance of birth and death certificates so that only certain persons are eligible to receive certified copies.
  - Required all requests for certified copies of birth and death certificates to be made upon application accompanied by a form of identification established by rule.
  - Directed the State Registrar to administer a Vital Records Alert System to track fraud or illegal activities.
  - Transferred the certain duties from the Probate Division to the State Registrar for the amendment of birth and death certificates, the issuance of new birth certificates, and the issuance of delayed birth certificates.
  - Required the State Registrar to prescribe the:
    - content and form of applications for birth and death certificates;
    - manner in which vital records shall be submitted;
    - physical requirements and security standards for the storage of vital events certificates;
    - manner in which the Department of Public Safety shall furnish lists of missing and kidnapped children; and
    - procedures governing the public’s inspection of birth and death certificates.
  - Directed the State Registrar to adopt rules governing:
    - acceptable content of a birth certificate;
    - acceptable forms of identification required in connection with applications for certified copies of birth and death certificates; and
    - the process for denying a certified copy of a birth or death certified based on the Vital Records Alert System.

### **2018 Act No. 11 (Spec. Session)**

- Delayed until July 1, 2019 the requirement that all birth and death certificates be issued from the Statewide Registration System.