

SENATE SUBSTITUTE  
FOR  
SENATE BILL NO. 198  
AN ACT

To repeal section 193.265, RSMo, and to enact in lieu thereof one new section relating to the waiver of fees for birth certificates for certain victims.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 193.265, RSMo, is repealed and one new  
2 section enacted in lieu thereof, to be known as section 193.265,  
3 to read as follows:

193.265. 1. For the issuance of a certification or  
2 copy of a death record, the applicant shall pay a fee of  
3 fourteen dollars for the first certification or copy and a  
4 fee of eleven dollars for each additional copy ordered at  
5 that time. For the issuance of a certification or copy of a  
6 birth, marriage, divorce, or fetal death record, the  
7 applicant shall pay a fee of fifteen dollars. No fee shall  
8 be required or collected for a certification of birth,  
9 death, or marriage if the request for certification is made  
10 by the children's division, the division of youth services,  
11 a guardian ad litem, or a juvenile officer on behalf of a  
12 child or person under twenty-one years of age who has come  
13 under the jurisdiction of the juvenile court under section  
14 211.031. All fees collected under this subsection shall be  
15 deposited to the state department of revenue. Beginning  
16 August 28, 2004, for each vital records fee collected, the  
17 director of revenue shall credit four dollars to the general  
18 revenue fund, five dollars to the children's trust fund, one  
19 dollar shall be credited to the endowed care cemetery audit  
20 fund, one dollar for each certification or copy of death  
21 records to the Missouri state coroners' training fund

22 established in section 58.208, and three dollars for the  
23 first copy of death records and five dollars for birth,  
24 marriage, divorce, and fetal death records shall be credited  
25 to the Missouri public health services fund established in  
26 section 192.900. Money in the endowed care cemetery audit  
27 fund shall be available by appropriation to the division of  
28 professional registration to pay its expenses in  
29 administering sections 214.270 to 214.410. All interest  
30 earned on money deposited in the endowed care cemetery audit  
31 fund shall be credited to the endowed care cemetery fund.  
32 Notwithstanding the provisions of section 33.080 to the  
33 contrary, money placed in the endowed care cemetery audit  
34 fund shall not be transferred and placed to the credit of  
35 general revenue until the amount in the fund at the end of  
36 the biennium exceeds three times the amount of the  
37 appropriation from the endowed care cemetery audit fund for  
38 the preceding fiscal year. The money deposited in the  
39 public health services fund under this section shall be  
40 deposited in a separate account in the fund, and moneys in  
41 such account, upon appropriation, shall be used to automate  
42 and improve the state vital records system, and develop and  
43 maintain an electronic birth and death registration system.  
44 For any search of the files and records, when no record is  
45 found, the state shall be entitled to a fee equal to the  
46 amount for a certification of a vital record for a five-year  
47 search to be paid by the applicant. For the processing of  
48 each legitimation, adoption, court order or recording after  
49 the registrant's twelfth birthday, the state shall be  
50 entitled to a fee equal to the amount for a certification of  
51 a vital record. Except whenever a certified copy or copies  
52 of a vital record is required to perfect any claim of any  
53 person on relief, or any dependent of any person who was on  
54 relief for any claim upon the government of the state or

55 United States, the state registrar shall, upon request,  
56 furnish a certified copy or so many certified copies as are  
57 necessary, without any fee or compensation therefor.

58 2. For the issuance of a certification of a death  
59 record by the local registrar, the applicant shall pay a fee  
60 of fourteen dollars for the first certification or copy and  
61 a fee of eleven dollars for each additional copy ordered at  
62 that time. For each fee collected under this subsection,  
63 one dollar shall be deposited to the state department of  
64 revenue and the remainder shall be deposited to the official  
65 city or county health agency. The director of revenue shall  
66 credit all fees deposited to the state department of revenue  
67 under this subsection to the Missouri state coroners'  
68 training fund established in section 58.208.

69 3. For the issuance of a certification or copy of a  
70 birth, marriage, divorce, or fetal death record, the  
71 applicant shall pay a fee of fifteen dollars; except that,  
72 in any county with a charter form of government and with  
73 more than six hundred thousand but fewer than seven hundred  
74 thousand inhabitants, a donation of one dollar may be  
75 collected by the local registrar over and above any fees  
76 required by law when a certification or copy of any marriage  
77 license or birth certificate is provided, with such  
78 donations collected to be forwarded monthly by the local  
79 registrar to the county treasurer of such county and the  
80 donations so forwarded to be deposited by the county  
81 treasurer into the housing resource commission fund to  
82 assist homeless families and provide financial assistance to  
83 organizations addressing homelessness in such county. The  
84 local registrar shall include a check-off box on the  
85 application form for such copies. All fees collected under  
86 this subsection, other than the donations collected in any  
87 county with a charter form of government and with more than

88 six hundred thousand but fewer than seven hundred thousand  
89 inhabitants for marriage licenses and birth certificates,  
90 shall be deposited to the official city or county health  
91 agency.

92 4. A certified copy of a death record by the local  
93 registrar can only be issued within twenty-four hours of  
94 receipt of the record by the local registrar. Computer-  
95 generated certifications of death records may be issued by  
96 the local registrar after twenty-four hours of receipt of  
97 the records. The fees paid to the official county health  
98 agency shall be retained by the local agency for local  
99 public health purposes.

100 5. No fee under this section shall be required or  
101 collected from a parent or guardian of a homeless child or  
102 homeless youth, as defined in subsection 1 of section  
103 167.020, or an unaccompanied youth, as defined in 42 U.S.C.  
104 Section 11434a(6), for the issuance of a certification, or  
105 copy of such certification, of birth of such child or  
106 youth. An unaccompanied youth shall be eligible to receive  
107 a certification or copy of his or her own birth record  
108 without the consent or signature of his or her parent or  
109 guardian; provided, that only one certificate under this  
110 provision shall be provided without cost to the  
111 unaccompanied or homeless youth. For the issuance of any  
112 additional certificates, the statutory fee shall be paid.

113 6. (1) Notwithstanding any provision of law to the  
114 contrary, no fee shall be required or collected for a  
115 certification of birth if the request is made by a victim of  
116 domestic violence or abuse, as those terms are defined in  
117 section 455.010, and the victim provides documentation  
118 signed by an employee, agent, or volunteer of a victim  
119 service provider, an attorney, or a health care or mental  
120 health professional, from whom the victim has sought

121 assistance relating to the domestic violence or abuse. Such  
122 documentation shall state that, under penalty of perjury,  
123 the employee, agent, or volunteer of a victim service  
124 provider, the attorney, or the health care or mental health  
125 professional believes that the victim has been involved in  
126 an incident of domestic violence or abuse.

127 (2) A victim may be eligible only one time for a fee  
128 waiver under this subsection.