

FIRST REGULAR SESSION

SENATE BILL NO. 198

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR THOMPSON REHDER.

0788S.02I

KRISTINA MARTIN, Secretary

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.

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Section A. Section 193.265, RSMo, is repealed and one new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 the victim has been involved in an
126 incident of domestic violence or abuse.

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

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