

S .B. NO. 1125

JAN 24 2013

A BILL FOR AN ACT

RELATING TO VITAL RECORDS FEES.

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

1 SECTION 1. Chapter 338, Hawaii Revised Statutes, is
2 amended by adding to part I a new section to be appropriately
3 designated and to read as follows:

4 **"§338- Fees for expedited copies or special services.**

5 The department shall collect a \$50 fee for expedited certified
6 copy service for birth, death, and marriage records that are
7 already registered and accepted by the department. The
8 department shall keep an account of all fees collected and shall
9 deposit them to the vital statistics improvement special fund."

10 SECTION 2. Section 338-14, Hawaii Revised Statutes, is
11 amended to read as follows:

12 **"§338-14 Fees for certified copies and searches;**
13 **transcripts or other statistical summaries of vital records for**
14 **National Center for Health Statistics; certified copies for**
15 **veterans and others; and corrections on vital statistics**
16 **certificates. (a) [~~The department of health shall establish~~**
17 **~~reasonable fees to be paid for certified copies of certificates;~~**
18 **~~provided that the]~~The department shall furnish, free of charge,**

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1 a certified copy of any of the records, or a certification of
2 birth, to any veteran of the armed forces of the United States,
3 the veteran's wife, any member of the immediate family of a
4 veteran or the next of kin of a deceased veteran, when required
5 for use in connection with a claim based on service in the armed
6 forces of the United States. Subject to sections 338-16, 338-
7 17, and 338-18, the National Center for Health Statistics may
8 obtain transcripts and statistical summaries on computer tapes
9 of certificates or, without payment of fees, certified copies;
10 provided the State is put to no expense in connection therewith.

11 A [~~reasonable~~] \$25 fee shall be charged for any correction
12 in the items on a vital statistics certificate initiated by the
13 registrant or the registrant's parent or representative if the
14 registrant is a minor.

15 (b) The department [~~may prescribe reasonable fees~~] shall
16 charge \$10 for searches of files and records not involving the
17 issuance of certified copies.

18 (c) The department shall keep an account of all fees
19 collected and shall deposit them to the [~~general fund of the~~
20 State] vital statistics improvement special fund, except as
21 provided in sections 321-1.3, 338-14.5, [~~338-14.6,~~]346-7.5, and
22 601-3.6.

1 (d) ~~[Any fee established by the department pursuant to~~
2 ~~this section shall be adopted in accordance with chapter 91. In~~
3 ~~establishing a fee, the amount shall be sufficient to cover the~~
4 ~~expenses involved in searching for, cost of a copy of, or~~
5 ~~correction of the certificate, file, or record, as the case may~~
6 ~~be. The department may raise the fees up to ten per cent per~~
7 ~~year without being subject to the provisions of chapter 91.] The~~
8 ~~fees shall be used to offset the administrative costs of~~
9 ~~activities related to the registration, processing, and issuance~~
10 ~~of vital records."~~

11 SECTION 3. Section 338-14.5, Hawaii Revised Statutes, is
12 amended to read as follows:

13 "**§338-14.5 Copies of certificate; fees.** The fees for
14 certified copies of birth, marriage, divorce, or death
15 certificates issued by the department of health shall consist of
16 [~~\$10~~] \$15 for the first copy issued and [~~\$4~~] \$5 for each copy
17 issued thereafter. These fees shall be collected for each
18 single request for certified copies. All fees received for the
19 issuance of certified copies of birth, marriage, divorce, or
20 death certificates shall be remitted to the director of health.
21 Upon the receipt of remittances under this section, the director
22 of health shall deposit:

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- 1 (1) \$1 for each certified copy to the credit of the spouse
2 and child abuse special account established under
3 section 346-7.5;
- 4 (2) \$1 for each certified copy to the credit of the spouse
5 and child abuse special account established under
6 section 601-3.6;
- 7 (3) \$1 for each certified copy to the credit of the
8 domestic violence and sexual assault special fund
9 established under section 321-1.3;
- 10 (4) [~~\$1~~] \$6 for [~~each~~] the first certified copy to the
11 credit of the vital statistics improvement special
12 fund established under section 338-14.6; [~~and~~]
- 13 (5) [~~The remainder of the fee for each certified copy to~~
14 ~~the credit of the state general fund.~~] \$2 for each
15 subsequent certified copy to the credit of the vital
16 statistics improvement special fund established under
17 section 338-14.6; and
- 18 (6) \$6 for the first certified copy to the credit of the
19 state general fund."

20 SECTION 4. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.

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1 SECTION 5. There is appropriated out of the vital
2 statistics improvement special fund the sum of \$500,000 or so
3 much thereof as may be necessary for fiscal year 2013-2014 to
4 offset administrative costs of activities related to the
5 registration, processing, and issuance of vital records.

6 The sum appropriated shall be expended by the department of
7 health for the purposes of this Act.

8 SECTION 6. This Act, upon its approval, shall take effect
9 on July 1, 2013.

10
11 INTRODUCED BY: Anna Mercedes Ky
12 BY REQUEST

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Report Title:

Health; Vital Records Fees

Description:

Raises the fees associated with vital statistics certified copy and expedited and correction services.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

JUSTIFICATION SHEET

DEPARTMENT: Health

TITLE: A BILL FOR AN ACT RELATING TO VITAL RECORDS FEES.

PURPOSE: To adjust and create fees charged to the public for copies of vital records to increase revenue to support vital statistics operations.

MEANS: Add a new section to part I of chapter 338 and, amend sections 338-14 and 338-14.5, Hawaii Revised Statutes.

JUSTIFICATION: The Department of Health is permitted to charge reasonable fees for certain services, including processing copies for vital records. Many fees, such as those for certified copies or verifications of vital statistics records, have not kept pace with operating expenses. Other transactions, such for expedited services or corrections to records, are routinely requested and provided but have no additional resources to support them.

GENERAL FUND: None, deposits to the General Fund remain unchanged.

OTHER FUNDS: Approximately \$1,650,000 in additional fees annually to the vital statistics improvement special fund.

PPBS PROGRAM DESIGNATION: HTH-760.

OTHER AFFECTED AGENCIES: Department of Budget and Finance.

EFFECTIVE DATE: July 1, 2013.