

Senate Bill 478

By: Senators Thomas of the 54th, Hamrick of the 30th, Smith of the 52nd, Unterman of the 45th, Levetan of the 40th and others

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Chapter 3 of Title 19 of the Official Code of Georgia Annotated, relating to
2 marriage generally, so as to revise certain provisions relating to application for a marriage
3 license; to revise certain provisions relating to the filing and transmission of application
4 supplement-marriage reports; to amend Chapter 10 of Title 31 of the Official Code of
5 Georgia Annotated, relating to vital records, so as to revise certain definitions; to provide for
6 the establishment of the State Office of Vital Records within the Department of Human
7 Resources; to revise certain powers of the state registrar; to revise certain provisions relating
8 to registration of births; to require immediate transmittal of a death certificate to the state;
9 to revise certain provisions relating to spontaneous fetal deaths; to repeal Code Section
10 31-10-21, relating to record of marriage licenses; to repeal Code Section 31-10-22, relating
11 to record of divorces, dissolutions, and annulments; to provide for certain changes relating
12 to amendment of certificates or reports; to provide for certain changes relating to disclosure
13 of information contained in vital records; to provide that temporary guardians may receive
14 certified copies of vital records; to revise certain provisions relating to fees for copies and
15 services related to vital records; to change references to "vital records registration system"
16 to "State Office of Vital Records" throughout Chapter 10 of Title 31; to provide for related
17 matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

18 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

19 **SECTION 1.**

20 Chapter 3 of Title 19 of the Official Code of Georgia Annotated, relating to marriage
21 generally, is amended by striking Code Section 19-3-33, relating to application for a
22 marriage license, and inserting in lieu thereof the following:

23 "19-3-33.

24 (a) A marriage license shall be issued on written application therefor, made by the persons
25 seeking the license, verified by oath of the applicants. The application shall state that there

1 is no legal impediment to the marriage and shall give the full present name of the proposed
 2 husband and the full present name of the proposed wife with their dates of birth, their
 3 present addresses, and the names of the father and mother of each, if known. If the names
 4 of the father or mother of either are unknown, the application shall so state.

5 ~~(b) An application supplement-marriage report shall be prepared in connection with each~~
 6 ~~marriage license. Except for the information in paragraph (3) of this subsection, the~~
 7 ~~application supplement-marriage report shall be completed as a part of each application for~~
 8 ~~a marriage license. The application supplement-marriage report shall state, at a minimum,~~
 9 ~~the following:~~

10 ~~(1) The full name, date of birth, and social security number for each applicant;~~

11 ~~(2) The number this marriage would be for each applicant; and~~

12 ~~(3) After the ceremonial marriage has been performed, the date of the marriage~~
 13 ~~ceremony and the county where the marriage ceremony occurred."~~

14 SECTION 2.

15 Said chapter is further amended by striking Code Section 19-3-34, relating to filing of an
 16 application for a marriage license, use as evidence, and transmission to the state registrar, and
 17 inserting in lieu thereof the following:

18 "19-3-34.

19 ~~(a) Except as provided in subsection (b) of this Code section, the The application for a~~
 20 ~~marriage license shall be filed in the office of the judge of the probate court before a~~
 21 ~~marriage license shall be issued and shall remain in the permanent files in the office of the~~
 22 ~~judge. It may be used as evidence in any court of law under the rules of evidence made and~~
 23 ~~provided in similar cases.~~

24 ~~(b) The application supplement-marriage report form provided for in Code Section~~
 25 ~~19-3-33 shall be transmitted to the state registrar pursuant to Code Section 31-10-21. No~~
 26 ~~original or duplicate application supplement-marriage report form need be retained by any~~
 27 ~~official or employee of the probate court beyond the time required for transmission to the~~
 28 ~~state registrar of vital records and confirmation of such transmission and receipt. While in~~
 29 ~~the temporary custody of the probate court, application supplement-marriage report forms~~
 30 ~~shall not be available for public inspection or copying or admissible in any court of law."~~

31 SECTION 3.

32 Chapter 10 of Title 31 of the Official Code of Georgia Annotated, relating to vital records,
 33 is amended by striking paragraphs (5), (13), and (16) of Code Section 31-10-1, relating to
 34 definitions, and inserting in lieu thereof the following, respectively:

1 "(5) 'File' means the presentation of a vital record provided for in this chapter for
2 registration by the ~~vital records registration system~~ State Office of Vital Records."

3 "(13) 'Registration' means the acceptance by the ~~vital records registration system~~ State
4 Office of Vital Records and the incorporation of vital records provided for in this chapter
5 into its ~~official records~~ the vital records registration system."

6 "(16) 'State registrar' means the person responsible for the State Office of Vital Records
7 and the state vital records registration system, ~~including the registration, collection,~~
8 ~~preservation, amendment, and certification of vital records.~~"

9 SECTION 4.

10 Said chapter is further amended by striking Code Section 31-10-2, relating to maintenance
11 and operation of the vital records registration system, and inserting in lieu thereof the
12 following:

13 "31-10-2.

14 ~~The~~ There is hereby established within the department the State Office of Vital Records
15 which shall maintain and operate the state's official vital records registration system. The
16 system shall be in effect in all areas of the state, and the State Office of Vital Records shall
17 provide for proper administration of the system and preservation of its records."

18 SECTION 5.

19 Said chapter is further amended by striking Code Section 31-10-5, relating to duties and
20 powers of state registrar, and inserting in lieu thereof the following:

21 "31-10-5.

22 (a) The state registrar shall:

23 (1) Administer and enforce the provisions of this chapter and the rules and regulations
24 issued under this chapter and issue instructions for the efficient administration of the ~~vital~~
25 ~~records registration system~~ State Office of Vital Records;

26 (2) Direct and supervise the ~~system of vital records~~ State Office of Vital Records and be
27 custodian of its records;

28 (3) Direct, supervise, and control the activities of all persons when they are engaged in
29 activities pertaining to the operation of the ~~vital records registration system~~ State Office
30 of Vital Records;

31 (4) Conduct training programs to promote uniformity of policy and procedures
32 throughout the state in matters pertaining to the ~~vital records registration system~~ State
33 Office of Vital Records;

34 (5) Prescribe, furnish, and distribute such forms as are required by this chapter and the
35 rules and regulations issued under this chapter or prescribe such other means for

1 transmission of data as will accomplish the purpose of complete and accurate reporting
2 and registration;

3 (6) Prepare and publish reports of vital statistics of this state and such other reports as
4 may be required by the department; and

5 (7) Provide to local health agencies copies of or data derived from certificates and
6 reports required under this chapter, as the state registrar shall determine are necessary for
7 local health planning and program activities. The state registrar shall establish a schedule
8 with each local health agency for transmittal of the copies or data. The copies or data
9 shall remain the property of the department, and the uses which may be made of them
10 shall be governed by the state registrar.

11 (b) The state registrar may establish or designate offices in the state to aid in the efficient
12 administration of the ~~vital records registration system~~ State Office of Vital Records.

13 (c) The state registrar may delegate such functions and duties vested in the state registrar
14 to employees of the ~~vital records registration system~~ State Office of Vital Records and to
15 employees of any office established or designated under subsection (b) of this Code
16 section."

17 **SECTION 6.**

18 Said chapter is further amended by striking subsection (a) of Code Section 31-10-6, relating
19 to local registrars, local custodians, special abstracting agents, and duties, and inserting in
20 lieu thereof the following:

21 "(a) The state registrar may appoint a local registrar and local custodian for each county
22 and a special abstracting agent as necessary. Appointees must meet the qualifications and
23 perform the duties required by this chapter and regulations of the department. The state
24 registrar may appoint local deputy registrars as necessary. A local registrar, subject to the
25 approval of the state registrar, may appoint a deputy or deputies. A local custodian, subject
26 to the approval of the state registrar, may appoint a clerk or clerks of records."

27 **SECTION 7.**

28 Said chapter is further amended by striking Code Section 31-10-9, relating to registration of
29 births, and inserting in lieu thereof the following:

30 "31-10-9.

31 (a) A certificate of birth for each live birth which occurs in this state shall be filed with the
32 ~~local registrar of the county in which the birth occurs~~ State Office of Vital Records within
33 ~~ten~~ five days after such birth and filed in accordance with this Code section and regulations
34 of the department.

1 (b) When a birth occurs in an institution or enroute thereto, the person in charge of such
2 institution or that person's designated representative shall obtain the personal data, prepare
3 the birth certificate, ~~secure the signatures required for the certificate, and file it with the~~
4 ~~local registrar~~ certify that the child was born alive at the place and time and on the date
5 stated either by signature or by an electronic process established or approved by the State
6 Office of Vital Records, and file the certificate with the State Office of Vital Records. The
7 physician or other person in attendance shall ~~certify to the facts of birth and~~ provide the
8 medical information required by the certificate within 72 hours after the birth occurs. ~~If the~~
9 ~~physician in attendance does not certify to the facts of birth within the 72 hour period, the~~
10 ~~person in charge of the institution or that person's designated representative shall complete~~
11 ~~and sign the certificate.~~

12 (c) Except as provided in subsection (b) of this Code section, when a birth occurs outside
13 an institution, the certificate shall be prepared and filed by one of the following in the
14 indicated order of priority:

15 (1) The physician or certified nurse midwife in attendance at or immediately after the
16 birth, or in the absence of such person;

17 (2) Any other person in attendance at or immediately after the birth, or in the absence of
18 such a person;

19 (3) The father, the mother, or in the absence of the father and inability of the mother, the
20 person in charge of the premises where the birth occurred.

21 (d) When a birth occurs on a moving conveyance within the United States and the child
22 is first removed from the conveyance in this state, the birth shall be registered in this state
23 and the place where it is first removed shall be considered the place of birth. When a birth
24 occurs on a moving conveyance while in international waters or airspace or in a foreign
25 country or its airspace and the child is first removed from the conveyance in this state, the
26 birth shall be registered in this state but the certificate shall show the actual place of birth
27 insofar as can be determined.

28 (e) The name of the natural father or putative father shall be entered on the certificate of
29 live birth as follows:

30 (1) If the mother was married either at the time of conception or at the time of birth, the
31 name of the husband shall be entered on the certificate as the father of the child unless
32 paternity has been determined otherwise by a court having jurisdiction, in which case the
33 name of the father as determined by the court shall be entered;

34 (2) If the mother is not married ~~to the father~~ at either the time of conception or at the time
35 of birth, the name of the putative father shall not be entered on the certificate of birth
36 without the written consent of the mother and the person to be named as father;

1 (3) In any case in which paternity of a child is determined by a court of competent
 2 jurisdiction, the name of the father and the surname of the child shall be entered on the
 3 certificate of birth in accordance with the finding and order of the court;

4 (4) If the father is not named on the certificate of birth, no other information about the
 5 father shall be entered on the certificate; or

6 (5) Except as provided in paragraph (3) of this subsection, in ~~in~~ all other cases, the
 7 surname of the child shall be the legal surname of the mother at the time of the birth
 8 entered on the certificate as designated by the mother. When a paternity acknowledgment
 9 is completed, the surname of the child shall be entered as designated by both parents.

10 (f) The birth certificate of a child born to a married woman as a result of artificial
 11 insemination, with consent of her husband, shall be completed in accordance with the
 12 provisions of subsection (e) of this Code section.

13 (g) Either of the parents of the child, or other informant, shall ~~attest to~~ verify the accuracy
 14 of the personal data entered on the certificate in time to permit the filing of the certificate
 15 within the ~~ten days~~ time period prescribed in subsection (a) of this Code section.

16 (h) All birth certificates filed and registered must identify the recorded person by name and
 17 the name of each legal parent of such person and the name of all other persons required by
 18 this Code section or by regulation. No obscenities, numbers, symbols, or other such
 19 nonidentifying name information will be accepted. If a legal parent has not decided upon
 20 a first or middle name for the child before the time limits established in this Code section,
 21 the birth record shall be registered without the child's first or middle name, or both, unless
 22 a court order provides otherwise."

23 SECTION 8.

24 Said chapter is further amended by striking subsections (c) and (d) of Code Section 31-10-15,
 25 relating to death certificates, and inserting in lieu thereof the following:

26 "(c) The medical certification as to the cause and circumstances of death shall be
 27 completed, signed, and returned to the funeral director or person acting as such within 72
 28 hours after death by the physician in charge of the patient's care for the illness or condition
 29 which resulted in death, except when inquiry is required by ~~the 'Georgia Post-mortem~~
 30 ~~Examination Act.'~~ Article 2 of Chapter 16 of Title 45, the 'Georgia Death Investigation
 31 Act.' In the absence of said physician or with that physician's approval the certificate may
 32 be completed and signed by an associate physician, the chief medical officer of the
 33 institution in which death occurred, or the physician who performed an autopsy upon the
 34 decedent, provided that such individual has access to the medical history of the case, views
 35 the deceased at or after death, and death is due to natural causes.

1 (d) When death occurs without medical attendance as set forth in subsection (c) of this
 2 Code section or when inquiry is required by the '~~Georgia Post-mortem Examination Act,~~
 3 Article 2 of Chapter 16 of Title 45, the 'Georgia Death Investigation Act,' the proper person
 4 shall investigate the cause of death and shall complete and sign the medical certification
 5 portion of the death certificate within 30 days after being notified of the death."

6 SECTION 9.

7 Said chapter is further amended by striking Code Section 31-10-17, relating to state
 8 registration of death certificates and certified copies, and inserting in lieu thereof the
 9 following:

10 "(a) When a death certificate is filed with a local registrar, it shall be transmitted to the
 11 ~~vital records registration system~~ State Office of Vital Records for state registration ~~within~~
 12 ~~ten days of~~ immediately upon receipt. After registration and the assignment of a state file
 13 number, an authorized copy of the death certificate shall be returned to the local custodian.
 14 Certified copies of such death certificates may then be issued from the authorized copy by
 15 the local custodian.

16 (b) After a death certificate is filed with a local registrar, but before the death certificate
 17 has been registered by the ~~vital records registration system~~ State Office of Vital Records,
 18 the local custodian shall be authorized to issue copies of the death certificate to be known
 19 as a 'certificate of record.' Each certificate of record shall have printed thereon the
 20 following: 'This is an exact copy of the death certificate received for filing in
 21 _____ County.' Such certificate of record shall be signed by the local custodian
 22 and have the correct seal affixed thereto."

23 SECTION 10.

24 Said chapter is further amended by striking Code Section 31-10-18, relating to registration
 25 of spontaneous fetal deaths, and inserting in lieu thereof the following:

26 "31-10-18.

27 (a) A report of spontaneous fetal death for each spontaneous fetal death of a fetus
 28 weighing 350 grams or more, or if weight is unknown, of 20 completed weeks' gestation
 29 or more, calculated from the date last normal menstrual period began to the date of
 30 delivery, which occurs in this state shall be filed with the ~~local registrar of the county in~~
 31 ~~which the delivery occurred~~ State Office of Vital Records within ~~72 hours~~ five days after
 32 such delivery in accordance with this Code section, ~~unless~~ When the place of fetal death
 33 is unknown, ~~in which case a fetal death certificate report shall be filed in the county in~~
 34 ~~which the dead fetus was found~~ with the State Office of Vital Records within ~~72 hours~~ five
 35 days after such ~~occurrence~~ delivery. Such report shall list the county in which the dead

1 fetus was found or delivered. All induced terminations of pregnancy shall be reported in
 2 the manner prescribed in Code Section 31-10-19 and shall not be reported as fetal deaths.

3 Preparation and filing of reports of spontaneous fetal death shall be as follows:

4 (1) When a dead fetus is delivered in an institution, the person in charge of the institution
 5 or that person's designated representative shall prepare and file the report;

6 (2) When a dead fetus is delivered outside an institution, the physician in attendance at
 7 or immediately after delivery shall prepare and file the report;

8 (3) When a spontaneous fetal death required to be reported by this Code section occurs
 9 without medical attendance at or immediately after the delivery or when inquiry is
 10 required by the ~~'Georgia Post-mortem Examination Act,'~~ Article 2 of Chapter 16 of Title
 11 45, the 'Georgia Death Investigation Act,' the proper investigating official shall
 12 investigate the cause of fetal death and shall prepare and file the report within 30 days;
 13 and

14 (4) When a spontaneous fetal death occurs in a moving conveyance and the fetus is first
 15 removed from the conveyance in this state or when a dead fetus is found in this state and
 16 the place of fetal death is unknown, the fetal death shall be reported in this state. The
 17 place where the fetus was first removed from the conveyance or the dead fetus was found
 18 shall be considered the place of fetal death.

19 ~~(b) The medical certification portion of the fetal death report shall be completed and~~
 20 ~~signed within 48 hours after delivery by the physician in attendance at or after delivery~~
 21 ~~except when inquiry or investigation is required by the 'Georgia Post-mortem Examination~~
 22 ~~Act.'~~

23 ~~(c) The name of the father shall be entered on the spontaneous fetal death report in~~
 24 ~~accordance with the provisions of Code Section 31-10-9."~~

25 SECTION 11.

26 Said chapter is further amended by striking Code Section 31-10-21, relating to record of
 27 marriage licenses, and inserting in lieu thereof the following:

28 "31-10-21.

29 ~~(a) A record of each marriage performed in this state shall be filed with the department and~~
 30 ~~shall be registered if it has been completed and filed in accordance with this Code section.~~

31 ~~(b) The official who issues the marriage license shall cause to be prepared the record on~~
 32 ~~the application supplement-marriage report form, including at a minimum the information~~
 33 ~~set out in subsection (b) of Code Section 19-3-33, upon the basis of information obtained~~
 34 ~~from both of the parties to be married.~~

~~(c) A person who performs a marriage shall certify the fact of marriage and return the license to the official who issued the license within ten days after the ceremony. The license shall be completed as prescribed by regulations of the department.~~

~~(d) Every official issuing marriage licenses shall complete and forward to the department on or before the tenth day of each calendar month an application supplement-marriage report form for each marriage license returned to such official during the preceding calendar month. Such forms may be transmitted in the form of paper or electronically.~~

~~(e) The official issuing a marriage license shall keep the original of the application and license for the county records from which the official may issue certified copies but need not retain the prepared application supplement-marriage report forms except to the extent necessary for transmission of such forms to the registrar and confirmation of transmission or receipt.~~

~~(f) In addition to the fee provided by Code Section 15-9-60, the official shall be entitled to a filing fee of \$1.00 to be paid by the applicant upon application for the marriage license.~~

Reserved."

SECTION 12.

Said chapter is further amended by striking Code Section 31-10-22, relating to record of divorces, dissolutions, and annulments, and inserting in lieu thereof the following:

"31-10-22.

~~(a) A record of each divorce, dissolution of marriage, or annulment granted by any court of competent jurisdiction in this state shall be filed by the clerk of the court with the department and shall be registered if it has been completed and filed in accordance with this Code section. The record shall be prepared by the petitioner or the petitioner's legal representative on a form prescribed and furnished by the state registrar and shall be presented to the clerk of the court with the petition. In all cases, the completed record shall be a prerequisite to the granting of the final decree.~~

~~(b) The clerk of the superior court shall complete and forward to the department on or before the tenth day of each calendar month the records of each divorce, dissolution of marriage, or annulment decree granted during the preceding calendar month. Reserved."~~

SECTION 13.

Said chapter is further amended by striking Code Section 31-10-23, relating to amendment of certificates or reports, and inserting in lieu thereof the following:

"31-10-23.

(a) Unless otherwise specified by law, a certificate or report registered under this chapter may be amended in accordance with this chapter and regulations adopted by the department

1 to protect the integrity and accuracy of vital records. Such regulations shall specify the
2 minimum evidence required for a change in any certificate or report. Amendments to birth
3 certificates; and death certificates; ~~and application supplement-marriage reports~~ shall be
4 completed by the department and a copy mailed to the proper local custodian, if any.
5 Amendments to applications for a marriage license or the license shall be completed by the
6 judge of the probate court of the county in which the license was issued. An amendment
7 to divorce reports shall be completed by the clerk of the superior court of the county in
8 which the decree was granted.

9 (b) A certificate or report that is amended under this Code section shall be marked
10 'amended,' except as otherwise provided in this Code section. The date of amendment and
11 a summary description of the evidence submitted in support of the amendment shall be
12 endorsed on or made a part of the record. The department shall prescribe by regulation the
13 conditions under which additions or minor corrections may be made to certificates or
14 records within one year after the date of the event without the certificate or record being
15 marked 'amended.'

16 (c)(1) Upon receipt of a certified copy of an order to legitimate a child, or an affidavit
17 signed by the natural parents whose marriage had legitimated a child, the director shall
18 register a new birth certificate if paternity was not shown on the original certificate. Such
19 certificate shall not be marked 'amended.'

20 (2) If paternity was shown on the original certificate, the record can be changed only by
21 an order from the superior court or juvenile court to remove the name of the person
22 shown on the certificate as the father and to add the name of the natural father and to
23 show the child as the legitimate child of the person so named. The order must specify the
24 name to be removed and the name to be added.

25 (d) Upon receipt of a certified copy of an order from a superior court, probate court, or
26 other court of competent jurisdiction changing the name of a person born in this state and
27 upon request of such person or such person's parents, guardian, temporary guardian, or
28 legal representative, the state registrar shall amend the certificate of birth to show the new
29 name. When the names of the parent or parents and the child are changed, the state registrar
30 may register a new certificate if requested by the parents, guardian, temporary guardian,
31 or legal representative. Such new certificate shall be marked 'amended.'

32 (e) Upon receipt of a certified copy of a court order indicating the sex of an individual
33 born in this state has been changed by surgical procedure and that such individual's name
34 has been changed, the certificate of birth of such individual shall be amended as prescribed
35 by regulation.

36 (f) An order from a superior court or probate court shall be required to change the year of
37 birth shown on the original birth certificate by more than one year or to correct any item

1 on a delayed birth certificate, or to remove the name of a father from a birth certificate on
 2 file. The person seeking such change, correction, or removal shall institute the proceeding
 3 by filing a petition with the appropriate court in the county of residence for an order
 4 changing the year of birth, correcting a delayed birth certificate, or removing the name of
 5 the father from a birth certificate on file. Such petition shall set forth the reasons therefor
 6 and shall be accompanied by all available documentary evidence. The court shall set a date
 7 for hearing the petition and shall give the state registrar at least ten days' notice of said
 8 hearing. The state registrar or the authorized representative thereof may appear and testify
 9 in the proceeding. If the court from the evidence presented finds that such change,
 10 correction, or removal should be made, the judge shall issue an order setting out the change
 11 to be made and the date of the court's action. The clerk of such court shall forward the
 12 petition and order to the state registrar not later than the tenth day of the calendar month
 13 following the month in which said order was entered. Such order shall be registered by the
 14 state registrar and the change so ordered shall be made.

15 (g) When an applicant does not submit the minimum documentation required in the
 16 regulations for amending a vital record or when the state registrar has reasonable cause to
 17 question the validity or adequacy of the applicant's sworn statements or the documentary
 18 evidence and if the deficiencies are not corrected, the state registrar shall not amend the
 19 vital record and shall advise the applicant of the reason for this action and shall further
 20 advise the applicant of the right of judicial appeal.

21 (h) When a certificate or report is amended under this Code section, the state registrar shall
 22 report the amendment to the proper local custodian and their record shall be amended
 23 accordingly."

24 SECTION 14.

25 Said chapter is further amended by striking subsection (f) of Code Section 31-10-25, relating
 26 to disclosure of information contained in vital records, and inserting in lieu thereof the
 27 following:

28 "(f) Official copies of records of deaths, applications for marriages and marriage
 29 certificates, divorces, dissolutions of marriages, and annulments located in the counties
 30 shall remain accessible to the public. ~~While in the temporary custody of the probate court~~
 31 ~~before transmission to the state registrar or confirmation of transmission or receipt,~~
 32 ~~application supplement-marriage report forms shall not be available for public inspection~~
 33 ~~or copying or admissible in any court of law."~~

SECTION 15.

Said chapter is further amended by striking subsection (a) of Code Section 31-10-26, relating to certified copies of vital records, and inserting in lieu thereof the following:

"(a) In accordance with Code Section 31-10-25 and the regulations adopted pursuant thereto:

(1) The state registrar or local custodian of vital records appointed by the state registrar to issue certified copies upon receipt of a written application shall issue a certified copy of a vital record in that registrar's or custodian's custody or abstract thereof to any applicant having a direct and tangible interest in the vital record, except that certified copies of certificates shall only be issued to:

(A) The person whose record of birth is registered;

(B) Either parent, ~~or guardian,~~ or temporary guardian of the person whose record of birth or death is registered;

(C) The living legal spouse or next of kin or the legal representative or the person who in good faith has applied and produced a record of such application to become the legal representative of the person whose record of birth or death is registered;

(D) The court of competent jurisdiction upon its order or subpoena; or

(E) Any governmental agency, state or federal, provided that such certificate shall be needed for official purposes.

(2) Each certified copy issued shall show the date of registration and copies issued from records marked 'delayed' or 'amended' shall be similarly marked and show the effective date. The documentary evidence used to establish a delayed certificate of birth shall be shown on all copies issued. All forms and procedures used in the issuance of certified copies of vital records in the state shall be provided or approved by the state registrar."

SECTION 16.

Said chapter is further amended by striking Code Section 31-10-27, relating to fees for copies or services, and inserting in lieu thereof the following:

"31-10-27.

(a) The department shall prescribe ~~the~~ uniform fees to be paid to the State Office of Vital Records, local registrars, and local custodians for certified copies of certificates or records, for a search of the files or records, for copies or information provided for research, statistical, or administrative purposes, or for other services. The fee for each search or service shall ~~not exceed \$10.00 nor shall the fee for a certified copy of said certificate, record, and certification exceed the total sum of \$10.00~~ be determined by the board.

(b) Fees collected by the department under this Code section shall be deposited in the general funds of the state.

1 (c) Fees for copies or searches by local custodians of vital records shall be retained by
2 them whether the local custodian is paid on a fee basis, a salary basis, or a combination of
3 both, except in counties where the local custodian of vital records is an employee of the
4 county board of health, in which case said fees shall be remitted monthly to the county
5 health department."

6 **SECTION 17.**

7 Said chapter is further amended by striking from the following Code sections the words "vital
8 records registration system" wherever the same shall occur and inserting in lieu thereof the
9 words "State Office of Vital Records":

- 10 (1) Code Section 31-10-6, relating to local registrars, local custodians, and special
11 abstracting agents;
- 12 (2) Code Section 31-10-10, relating to registration of live born infants of unknown
13 parentage;
- 14 (3) Code Section 31-10-12, relating to judicial procedure to establish facts of birth;
- 15 (4) Code Section 31-10-24, relating to preservation or disposition of vital records; and
- 16 (5) Code Section 31-10-31, relating to penalties for making false statements in records
17 and for other violations.

18 **SECTION 18.**

19 This Act shall become effective July 1, 2004.

20 **SECTION 19.**

21 All laws and parts of laws in conflict with this Act are repealed.