2022 -- H 7427

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S T A T E   O F   R H O D E   I S L A N D

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

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A N   A C T

RELATING TO HEALTH AND SAFETY

Introduced By: Representatives Cortvriend, Ruggiero, Abney, Potter, and McGaw

Date Introduced: February 09, 2022

Referred To: House State Government & Elections

It is enacted by the General Assembly as follows:

1   SECTION 1. Sections 23-3-5.1 and 23-3-24 of the General Laws in Chapter 23-3 entitled

2 "Vital Records" are hereby amended to read as follows:

3   **23-3-5.1. Transfer of public historical documents.**

4   At the end of each calendar year, records of births and marriages which have occurred one

5 hundred (100) years or more from the date of transfer and deaths which have occurred fifty (50)

6 years or more from the date of transfer, shall be permanently transferred by the state registrar of

7 vital records to the custody of the state archives under control of the secretary of state who may

8 promulgate rules and regulations pertaining to these public historical documents. Prior to

9 transferring the records to the state archives, the division of vital records shall ensure that the

10 records are accessible to the local registrars for the purpose of issuance of accurate records to the

11 public as authorized by law.

12   **23-3-24. Copies of data from vital records.**

13   In accordance with § 23-3-23 and the regulations adopted pursuant to that section:

14   (1) The state registrar of vital records shall upon request issue a certified copy of any

15 certificate or record in his or her custody or a part thereof. Each copy issued shall show the date of

16 registration; and copies issued from records marked "delayed," "amended," or "court order" shall

17 be similarly marked and show the effective date. Any copies issued of a "certificate of foreign

18 birth" shall indicate this fact and show the actual place of birth.

19   (2) The ~~custodian of permanent local records~~ local registrars shall upon request issue a

1   certified copy of any certificate or record in his or her custody or to which he or she has access only

2   in a form that shall be prescribed by the state director of health.

3   (3) A certified copy of a certificate or any part thereof, issued in accordance with

4   subdivision (1) or (2) of this section, shall be considered for all purposes the same as the original,

5   and shall be prima facie evidence of the facts stated in the certificate, provided that the evidentiary

6   value of a certificate or record filed more than one year after the event, or a record which has been

7   amended, or a "certificate of foreign birth," shall be determined by the judicial or administrative

8   body or official before whom the certificate is offered as evidence.

9   (4) The National Office of Vital Statistics may be furnished copies or data that it may

10   require for national statistics; provided, that the state shall be reimbursed for the cost of furnishing

11   the data; and provided further, that the data shall not be used for other than statistical purposes by

12   the National Office of Vital Records unless so authorized by the state registrar of vital records.

13   (5) Federal, state, local, and other public or private agencies may, upon request, be

14   furnished copies or data for statistical purposes upon terms or conditions that may be prescribed by

15   the state director of health.

16   (6) No person shall prepare or issue any certificate which purports to be an original certified

17   copy, or copy of a certificate of birth, death, or fetal death, except as authorized in this chapter or

18   regulations adopted under this chapter.

19   SECTION 2. This act shall take effect upon passage.

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EXPLANATION

BY THE LEGISLATIVE COUNCIL

OF

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RELATING TO HEALTH AND SAFETY

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1   This act would require that the division of vital records shall ensure the records are

2   accessible to the local registrars and grant local registrars the authority to issue certified copies of

3   certificates and records.

4   This act would take effect upon passage.

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