

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 1586
By: Moncrief
Health & Human Services
4/3/2001
Committee Report (Substituted)

DIGEST AND PURPOSE

Health information derived from birth and death records is the foundation of most public health programs. Vital event registrations are increasingly being used for both administrative and surveillance activities, as well as the more traditional role of proof of birth or death. Timely and accurate registrations are essential in providing such services. Vital registration has remained primarily a paper process since its inception in the early 1900s. Texas has changed from a rural state with a small population to an urban state with large, diverse populations. With the growth in population, the volume of birth and death records has climbed steadily. With that increase in volume, the number of requests for services such as obtaining certified copies, creating new records based upon adoptions or paternities, and correcting errors in original records have also increased dramatically. Compounding the volume problem have been new uses made of vital statistics. New systems must be created to handle the volume of records each year and enhance the capabilities to store and retrieve these records for meeting citizens' needs in a timely manner. C.S.S.B. 1586 increases the fees collected for certified copies of birth and death certificates and sets up a fund in the state treasury to collect these funds to help pay for the enhanced needs of the Bureau of Vital Statistics.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 191.0045, Health and Safety Code, by amending Subsections (d)-(g) and adding Subsection (h), as follows:

- (d) Adds a reference to Subsection (h) relating to additional fees required.
- (e) Increases from \$2 to \$5 the amount of an additional fee collected for certificates.
- (f) Adds language to set forth requirements as to how the fees collected under Subsection (e) are to be deposited in the state treasury.
- (g) Makes a conforming change.
- (h) Requires the bureau of vital statistics, in addition to fees collected by the bureau under Subsections (b) and (e), to collect an additional \$2 fee for issuing a certified copy of a death certificate. Requires the fees to be deposited in the state treasury to the credit of the vital statistics enhancement fund.

SECTION 2. Amends Section 191.0046, Health and Safety Code, to add references to local registrars.

SECTION 3. Amends Chapter 191A, Health and Safety Code, by adding Section 191.0047, as

follows:

Sec. 191.0047. VITAL STATISTICS ENHANCEMENT FUND. Provides that the vital statistics enhancement fund is an account in the state treasury. Provides that the account is composed of fees deposited to the account as required by Sections 191.0045(h) and 191.022(f) and Section 118.015(b), Local Government Code. Authorizes money in the account to be used by the bureau only for certain purposes.

SECTION 4. Amends Section 191.002, Health and Safety Code, by amending Subsection (f) and adding Subsections (g) and (h), as follows:

(f) Requires a local registrar who collects a fee for a certified copy of a birth certificate to retain \$1.40, rather than deduct 20 cents, of that fee and remit \$3.60, rather than \$1.80, of that fee to the comptroller. Requires the comptroller to deposit one-half of the fee in the work and family policies fund and one-half of the fee in the vital statistics enhancement fund.

(g) Requires a local registrar who collects a fee for a certified copy of a death certificate to remit \$1 of that fee to the comptroller for deposit in the vital statistics enhancement fund.

(h) Authorizes a local registrar to use the fee retained under Subsection (f) only for certain purposes.

SECTION 5. Amends Section 118.015(b), Local Government Code, by amending Subsection (b) and adding Subsections (c) and (d), as follows:

(b) Makes conforming changes related to county clerks.

(c) Makes conforming changes related to county clerks.

(d) Makes conforming changes related to county clerks.

SECTION 6. Requires the comptroller to act in accordance with Section 81.006 (Work and Family Policies Fund), Labor Code, as if the work and family policies fund had not been abolished. Provides that the work and family practices fund is recreated by this Act. Provides that revenue dedicated by Section 81.006, Labor Code, is rededicated by this Act for the same purposes.

SECTION 7. Effective date: September 1, 2001.

SUMMARY OF COMMITTEE CHANGES

Differs from original as follows:

- In SECTION 1 it changes the amount the Bureau of Vital Statistics is required to collect in addition to other fees collected from \$4 to \$5. Changes the way the fees collected are deposited in the state treasury from one-half of the fee to \$2 to the credit of the work and family policies fund and from one-half of the fee to \$3 to the credit of the vital statistics enhancement fund to be used for the purposes prescribed by Section 191.0047. It further differs from the original by changing the additional amount collected for issuing a certified copy of a death certificate from \$1 to \$2.
- Adds a new SECTION 2 which amends Section 191.0046, Health and Safety Code, to add references to local registrars.

- Adds a new SECTION 3 which sets forth provisions originally addressed in SECTION 1, Subsection (i). Changes and adds some language to those provisions to provide that the vital statistics enhancement fund is an account in the state treasury. Provides that the account is composed of fees deposited to the account as required by Sections 191.0045(h) and 191.022(f) and Section 118.015(b), Local Government Code. Authorizes money in the account to be used by the bureau only for certain purposes.
- SECTION 4 was original SECTION 2 and further differs by changing and adding language to do the following:
 - Requires a local registrar who collects a fee for a certified copy of a birth certificate to retain \$1.40, rather than deduct 20 cents, of that fee and remit \$3.60, rather than \$1.80, of that fee to the comptroller. Requires the comptroller to deposit one-half of the fee in the work and family policies fund and one-half of the fee in the vital statistics enhancement fund.
 - Requires a local registrar who collects a fee for a certified copy of a death certificate to remit \$1 of that fee to the comptroller for deposit in the vital statistics enhancement fund.
 - Authorizes a local registrar to use the fee retained under Subsection (f) only for certain purposes.
- Eliminates original SECTION 3 which amended Section 118.015, Local Government Code, to change the amount remitted by a county clerk to the comptroller and to require a county clerk to remit \$1 of the fee collected for a certified copy of a death certificate to comptroller as well.
- Adds a new SECTION 5 to make conforming changes relative to SECTION 4 relating to county clerks.
- Adds a new SECTION 6 to require the comptroller to act in accordance with Section 81.006, Labor Code, as if the work and family policies fund had not been abolished. Provides that the work and family practices fund is recreated by this Act. Provides that revenue dedicated by Section 81.006, Labor Code, is rededicated by this Act for the same purposes.
- Renumbers SECTION 4, effective date, as SECTION 7 and no longer includes original SECTION 5 which was an emergency clause.