

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1988
102ND GENERAL ASSEMBLY

4533H.02C

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 193.265, RSMo, and to enact in lieu thereof one new section relating to funding military honor details.

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Section A. Section 193.265, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 193.265, to read as follows:

193.265. 1. For the issuance of a certification or copy of a death record, the applicant shall pay a fee of ~~fourteen~~ **nineteen** dollars for the first certification or copy and a fee of ~~eleven~~ **sixteen** dollars for each additional copy ordered at that time. For the issuance of a certification or copy of a birth, marriage, divorce, or fetal death record, the applicant shall pay a fee of fifteen dollars. No fee shall be required or collected for a certification of birth, death, or marriage if the request for certification is made by the children's division, the division of youth services, a guardian ad litem, or a juvenile officer on behalf of a child or person under twenty-one years of age who has come under the jurisdiction of the juvenile court under section 211.031. All fees collected under this subsection shall be deposited to the state department of revenue. Beginning August 28, 2004, for each vital records fee collected, the director of revenue shall credit four dollars to the general revenue fund, five dollars to the children's trust fund, one dollar shall be credited to the endowed care cemetery audit fund, ~~one dollar~~ **fifty cents** for each certification or copy of death records to the Missouri state coroners' training fund established in section 58.208, **five dollars and fifty cents for each certification or copy of death records to the Missouri National Guard trust fund established in section 41.214 to be used solely for the specific purpose of funding military honor details described in section 41.958**, and three dollars for the first copy of death records and five dollars for birth, marriage, divorce, and fetal death records shall be

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

19 credited to the Missouri public health services fund established in section 192.900. Money in
20 the endowed care cemetery audit fund shall be available by appropriation to the division of
21 professional registration to pay its expenses in administering sections 214.270 to 214.410.
22 All interest earned on money deposited in the endowed care cemetery audit fund shall be
23 credited to the endowed care cemetery fund. Notwithstanding the provisions of section
24 33.080 to the contrary, money placed in the endowed care cemetery audit fund shall not be
25 transferred and placed to the credit of general revenue until the amount in the fund at the end
26 of the biennium exceeds three times the amount of the appropriation from the endowed care
27 cemetery audit fund for the preceding fiscal year. The money deposited in the public health
28 services fund under this section shall be deposited in a separate account in the fund, and
29 moneys in such account, upon appropriation, shall be used to automate and improve the state
30 vital records system, and develop and maintain an electronic birth and death registration
31 system. For any search of the files and records, when no record is found, the state shall be
32 entitled to a fee equal to the amount for a certification of a vital record for a five-year search
33 to be paid by the applicant. For the processing of each legitimation, adoption, court order or
34 recording after the registrant's twelfth birthday, the state shall be entitled to a fee equal to the
35 amount for a certification of a vital record. Except whenever a certified copy or copies of a
36 vital record is required to perfect any claim of any person on relief, or any dependent of any
37 person who was on relief for any claim upon the government of the state or United States, the
38 state registrar shall, upon request, furnish a certified copy or so many certified copies as are
39 necessary, without any fee or compensation therefor.

40 2. For the issuance of a certification of a death record by the local registrar, the
41 applicant shall pay a fee of [~~fourteen~~] **nineteen** dollars for the first certification or copy and a
42 fee of [~~eleven~~] **sixteen** dollars for each additional copy ordered at that time. For each fee
43 collected under this subsection, one dollar shall be deposited to the state department of
44 revenue and the remainder shall be deposited to the official city or county health agency. The
45 director of revenue shall credit all fees deposited to the state department of revenue under this
46 subsection to the Missouri state coroners' training fund established in section 58.208 **and to**
47 **the Missouri National Guard trust fund established in section 41.214, with the fees to be**
48 **divided equally between the funds and the fees credited to the Missouri National Guard**
49 **trust fund to be used solely for the specific purpose of funding military honor details**
50 **described in section 41.958.**

51 3. For the issuance of a certification or copy of a birth, marriage, divorce, or fetal
52 death record, the applicant shall pay a fee of fifteen dollars; except that, in any county with a
53 charter form of government and with more than six hundred thousand but fewer than seven
54 hundred thousand inhabitants, a donation of one dollar may be collected by the local registrar
55 over and above any fees required by law when a certification or copy of any marriage license

56 or birth certificate is provided, with such donations collected to be forwarded monthly by the
57 local registrar to the county treasurer of such county and the donations so forwarded to be
58 deposited by the county treasurer into the housing resource commission fund to assist
59 homeless families and provide financial assistance to organizations addressing homelessness
60 in such county. The local registrar shall include a check-off box on the application form for
61 such copies. All fees collected under this subsection, other than the donations collected in
62 any county with a charter form of government and with more than six hundred thousand but
63 fewer than seven hundred thousand inhabitants for marriage licenses and birth certificates,
64 shall be deposited to the official city or county health agency.

65 4. A certified copy of a death record by the local registrar can only be issued after
66 acceptance and registration with the state registrar. The fees paid to the official county health
67 agency shall be retained by the local agency for local public health purposes.

68 5. No fee under this section shall be required or collected from a parent or guardian of
69 a homeless child or homeless youth, as defined in subsection 1 of section 167.020, or an
70 unaccompanied youth, as defined in 42 U.S.C. Section 11434a(6), for the issuance of a
71 certification, or copy of such certification, of birth of such child or youth. An unaccompanied
72 youth shall be eligible to receive a certification or copy of his or her own birth record without
73 the consent or signature of his or her parent or guardian; provided, that only one certificate
74 under this provision shall be provided without cost to the unaccompanied or homeless youth.
75 For the issuance of any additional certificates, the statutory fee shall be paid.

76 6. (1) Notwithstanding any provision of law to the contrary, no fee shall be required
77 or collected for a certification of birth if the request is made by a victim of domestic violence
78 or abuse, as those terms are defined in section 455.010, and the victim provides
79 documentation signed by an employee, agent, or volunteer of a victim service provider, an
80 attorney, or a health care or mental health professional, from whom the victim has sought
81 assistance relating to the domestic violence or abuse. Such documentation shall state that,
82 under penalty of perjury, the employee, agent, or volunteer of a victim service provider, the
83 attorney, or the health care or mental health professional believes the victim has been
84 involved in an incident of domestic violence or abuse.

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

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