

ASSEMBLY BILL NO. 16—COMMITTEE ON
HEALTH AND HUMAN SERVICES

(ON BEHALF OF THE DEPARTMENT OF CORRECTIONS)

PREFILED NOVEMBER 18, 2020

Referred to Committee on Health and Human Services

SUMMARY—Revises provisions related to the issuance of copies of certificates and records of birth. (BDR 40-329)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to vital statistics; prohibiting the charging of fees for the issuance of copies of certificates and records of birth to persons who are imprisoned; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law prohibits the charging of fees for the issuance of copies of
2 certificates and records of birth to homeless persons and persons released from
3 prison within the immediately preceding 90 days. (NRS 440.175, 440.700) This bill
4 prohibits the charging of such fees to persons who are imprisoned.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 440.175 is hereby amended to read as follows:
2 440.175 1. Upon request, the State Registrar may furnish
3 statistical data to any federal, state, local or other public or private
4 agency, upon such terms or conditions as may be prescribed by the
5 Board.
6 2. No person may prepare or issue any document which
7 purports to be an original, certified copy, certified abstract or
8 official copy of:
9 (a) A certificate of birth, death or fetal death, except as
10 authorized in this chapter or by the Board.



(b) A certificate of marriage, except a county clerk, county recorder or a person so required pursuant to NRS 122.120.

(c) A decree of divorce or annulment of marriage, except a county clerk or the judge of a court of record.

3. A person or governmental organization which issues certified or official copies pursuant to paragraph (a) of subsection 2 shall:

(a) Not charge a fee for issuing a certified or official copy of a certificate of birth to:

(1) A homeless person who submits a signed affidavit on a form prescribed by the State Registrar stating that the person is homeless.

(2) A person who submits documentation from the Department of Corrections verifying that the person *is imprisoned or* was released from prison within the immediately preceding 90 days.

(b) Remit to the State Registrar fees collected which are charged in an amount established by the State Registrar by regulation:

(1) For each registration of a birth or death in its district.

(2) For each copy issued of a certificate of birth in its district, other than a copy issued pursuant to paragraph (a).

(3) For each copy issued of a certificate of death in its district.

Sec. 2. NRS 440.700 is hereby amended to read as follows:

440.700 1. Except as otherwise provided in this section, the State Registrar shall charge and collect a fee in an amount established by the State Registrar by regulation:

(a) For searching the files for one name, if no copy is made.

(b) For verifying a vital record.

(c) For establishing and filing a record of paternity, other than a hospital-based paternity, and providing a certified copy of the new record.

(d) For a certified copy of a record of birth.

(e) For a certified copy of a record of death originating in a county in which the board of county commissioners has not created an account for the support of the office of the county coroner pursuant to NRS 259.025.

(f) For a certified copy of a record of death originating in a county in which the board of county commissioners has created an account for the support of the office of the county coroner pursuant to NRS 259.025.

(g) For correcting a record on file with the State Registrar and providing a certified copy of the corrected record.

(h) For replacing a record on file with the State Registrar and providing a certified copy of the new record.



(i) For filing a delayed certificate of birth and providing a certified copy of the certificate.

(j) For the services of a notary public, provided by the State Registrar.

(k) For an index of records of marriage provided on microfiche to a person other than a county clerk or a county recorder of a county of this State.

(l) For an index of records of divorce provided on microfiche to a person other than a county clerk or a county recorder of a county in this State.

(m) For compiling data files which require specific changes in computer programming.

2. The fee collected for furnishing a copy of a certificate of birth or death must include the sum of \$3 for credit to the Children's Trust Account created by NRS 432.131.

3. The fee collected for furnishing a copy of a certificate of death must include the sum of \$1 for credit to the Review of Death of Children Account created by NRS 432B.409.

4. The fee collected for furnishing a copy of a certificate of death must include the sum of 50 cents for credit to the Grief Support Trust Account created by NRS 439.5132.

5. The State Registrar shall not charge a fee for furnishing a certified copy of a record of birth to:

(a) A homeless person, including, without limitation, a homeless child or youth, who submits a signed affidavit on a form prescribed by the State Registrar stating that the person is homeless.

(b) A person who submits documentation from the Department of Corrections verifying that the person *is imprisoned or* was released from prison within the immediately preceding 90 days.

(c) A staff person of a local educational agency who has been designated pursuant to 42 U.S.C. § 11432(g)(1)(J)(ii) for a certified copy of a record of birth of a homeless child or youth who is enrolled in the local educational agency.

(d) A social worker licensed to practice in this State, for a certified copy of a record of birth of a homeless child or youth who is a client of the social worker.

6. The fee collected for furnishing a copy of a certificate of death originating in a county in which the board of county commissioners has created an account for the support of the office of the county coroner pursuant to NRS 259.025 must include the sum of \$4 for credit to the account for the support of the office of the county coroner of the county in which the certificate originates.

7. Upon the request of any parent or guardian or an unaccompanied youth, the State Registrar shall supply, without the payment of a fee, a certificate limited to a statement as to the date of



1 birth of any child or of the unaccompanied youth as disclosed by the
2 record of such birth when the certificate is necessary for admission
3 to school or for securing employment.

4 8. The United States Bureau of the Census may obtain, without
5 expense to the State, transcripts or certified copies of births and
6 deaths without payment of a fee.

7 9. As used in this section:

8 (a) “Homeless child or youth” has the meaning ascribed to it in
9 42 U.S.C. § 11434a.

10 (b) “Local educational agency” has the meaning ascribed to it in
11 42 U.S.C. § 11434a.

12 (c) “Unaccompanied youth” has the meaning ascribed to it in
13 42 U.S.C. § 11434a.

14 **Sec. 3.** This act becomes effective upon passage and approval.

