

2024 -- H 7663

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

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A N A C T

RELATING TO HEALTH AND SAFETY -- VITAL RECORDS

Introduced By: Representatives Cortvriend, Fogarty, Handy, McGaw, Finkelman,
Dawson, and Nardone

Date Introduced: February 15, 2024

Referred To: House State Government & Elections

(Secretary of State)

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 Transfer of public historical documents.**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, original records of births and marriages which have
5 occurred one hundred (100) years or more from the date of transfer and deaths which have occurred
6 fifty (50) years or more from the date of transfer, shall be permanently transferred by the state
7 registrar of vital records to the custody of the state archives under control of the secretary of state
8 who may promulgate rules and regulations pertaining to these public historical documents. Prior to
9 transferring the records which are in electronic format, to the state archives, the division of vital
10 records shall ensure that an electronic copy of the records is provided to all local registrars for the
11 purpose of issuance of accurate copies, or certified copies to the public as authorized by law.
12 Amendments to records on file with the local registrar, which are not available in electronic format,
13 shall be forwarded upon amendment to the local registrar for the purpose of issuance of accurate
14 copies, or certified copies, to the public as authorized by law.

15 **23-3-24. Copies of data from vital records.**

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

17 (1) The state registrar of vital records shall upon request issue a certified copy of any
18 certificate or record in ~~his or her~~ the registrar's custody or a part thereof. Each copy issued shall
19 show the date of registration; and copies issued from records marked "delayed," "amended," or

1 “court order” shall be similarly marked and show the effective date. Any copies issued of a
2 “certificate of foreign birth” shall indicate this fact and show the actual place of birth.

3 (2) The ~~custodian of permanent local records~~ local registrars of permanent local records
4 shall upon request issue a certified copy of any certificate or record in ~~his or her~~ the local registrar's
5 custody or to which the local registrar has access only in a form that shall be prescribed by the state
6 director of health or the state archives under the control of the secretary of state, following transfer
7 pursuant to § 23-3-5.1.

8 (3) A certified copy of a certificate or any part thereof, issued in accordance with
9 subdivision (1) or (2) of this section, shall be considered for all purposes the same as the original,
10 and shall be prima facie evidence of the facts stated in the certificate, provided that the evidentiary
11 value of a certificate or record filed more than one year after the event, or a record which has been
12 amended, or a “certificate of foreign birth,” shall be determined by the judicial or administrative
13 body or official before whom the certificate is offered as evidence.

14 (4) The National Office of Vital Statistics may be furnished copies or data that it may
15 require for national statistics; provided, that the state shall be reimbursed for the cost of furnishing
16 the data; and provided further, that the data shall not be used for other than statistical purposes by
17 the National Office of Vital Records unless so authorized by the state registrar of vital records.

18 (5) Federal, state, local, and other public or private agencies may, upon request, be
19 furnished copies or data for statistical purposes upon terms or conditions that may be prescribed by
20 the state director of health.

21 (6) No person shall prepare or issue any certificate which purports to be an original certified
22 copy, or copy of a certificate of birth, death, or fetal death, except as authorized in this chapter or
23 regulations adopted under this chapter.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO HEALTH AND SAFETY -- VITAL RECORDS

1 This act would require the division of vital records to ensure that the records are accessible
2 to the local registrars and grant local registrars the authority to issue certified copies of certificates
3 and records.

4 This act would take effect upon passage.

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