

BIRTH CERTIFICATE AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Candice B. Pierucci

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies provisions related to birth certificates.

Highlighted Provisions:

This bill:

- ▶ allows the department to request additional information for registering a birth under certain circumstances;
- ▶ requires the department to issue a complimentary birth certificate for each birth registered in Utah; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

26-2-4, as last amended by Laws of Utah 2007, Chapter 32

26-2-12.6, as last amended by Laws of Utah 2021, Chapter 284

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **26-2-4** is amended to read:



28 **26-2-4. Content and form of certificates and reports.**

29 (1) Except as provided in Subsection (5), to promote and maintain nationwide
30 uniformity in the vital records system, the forms of certificates, certification, reports, and other
31 documents and records required by this chapter or the rules implementing this chapter shall
32 include as a minimum the items recommended by the federal agency responsible for national
33 vital statistics, subject to approval, additions, and modifications by the department.

34 (2) Certificates, certifications, forms, reports, other documents and records, and the
35 form of communications between persons required by this chapter shall be prepared in the
36 format prescribed by department rule.

37 (3) All vital records shall include the date of filing.

38 (4) Certificates, certifications, forms, reports, other documents and records, and
39 communications between persons required by this chapter may be signed, filed, verified,
40 registered, and stored by photographic, electronic, or other means as prescribed by department
41 rule.

42 (5) (a) The state:

43 [~~(a)~~] (i) may collect the Social Security number of a deceased individual; and

44 [~~(b)~~] (ii) may not include the Social Security number of an individual on a certificate of
45 death.

46 (b) For registering a birth, the department may not require an individual to provide
47 information that is not necessary for the department to comply with federal standards or
48 contracts.

49 (c) The department may request additional information beyond the information
50 necessary to comply with federal standards and contracts for registering a birth, if the
51 department:

52 (i) discloses that providing the additional information is voluntary;

53 (ii) discloses how the information will be used and the duration of use; and

54 (iii) describes how the department will prevent the additional information from being
55 used in a manner different from the description given under Subsection (1)(c)(ii).

56 Section 2. Section 26-2-12.6 is amended to read:

57 **26-2-12.6. Fee waived for certified copy of birth certificate -- Complimentary**
58 **birth certificate.**

59 (1) Notwithstanding Section 26-1-6 and Section 26-2-12.5, the department shall waive
60 a fee that would otherwise be charged for a certified copy of a birth certificate, if the individual
61 whose birth is confirmed by the birth certificate is:

62 (a) the individual requesting the certified copy of the birth certificate; and

63 (b) (i) homeless, as defined in Section 26-18-411;

64 (ii) a person who is homeless, as defined in Section 35A-5-302;

65 (iii) an individual whose primary nighttime residence is a location that is not designed
66 for or ordinarily used as a sleeping accommodation for an individual;

67 (iv) a homeless service provider as verified by the Department of Workforce Services;

68 or

69 (v) a homeless child or youth, as defined in 42 U.S.C. Sec. 11434a.

70 (2) To satisfy the requirement in Subsection (1)(b), the department shall accept written
71 verification that the individual is homeless or a person, child, or youth who is homeless from:

72 (a) a homeless shelter~~[-, as defined in Section 10-9a-526]~~;

73 (b) a permanent housing, permanent, supportive, or transitional facility, as defined in
74 Section 35A-5-302;

75 (c) the Department of Workforce Services;

76 (d) a homeless service provider as verified by the Department of Workforce Services;

77 or

78 (e) a local educational agency liaison for homeless children and youth designated under
79 42 U.S.C. Sec. 11432(g)(1)(J)(ii).

80 (3) For each birth registered in Utah, the department shall automatically send one
81 certified copy of the child's birth certificate to the child's parent or guardian without charging a
82 fee.