

HOUSE BILL No. 2423

AN ACT concerning the department of health and environment; relating to financing the civil registration and health statistics functions thereof; establishing the civil registration and health statistics fee fund; prescribing certain fees; amending K.S.A. 65-2418 and repealing the existing section; also repealing K.S.A. 65-2418b and 65-2418d.

Be it enacted by the Legislature of the State of Kansas:

New Section 1. (a) There is hereby established the civil registration and health statistics fee fund in the state treasury which shall be administered by the secretary of health and environment. All expenditures from the civil registration and health statistics fee fund shall be for the operating expenditures of the center for health and environmental statistics of the department of health and environment, including the civil registration and health statistics functions and the implementation, maintenance and administration of the vital statistics integrated information system. All expenditures from the civil registration and health statistics fee fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of health and environment or the secretary's designee.

(b) On the effective date of this act, the director of accounts and reports shall transfer all moneys in the vital statistics maintenance fee fund to the civil registration and health statistics fee fund. On the effective date of this act, all liabilities of the vital statistics maintenance fee fund are hereby transferred to and imposed upon the civil registration and health statistics fee fund and the vital statistics maintenance fee fund is hereby abolished.

Sec. 2. K.S.A. 65-2418 is hereby amended to read as follows: 65-2418. (a) ~~Except as otherwise provided in this section, (1) The secretary shall fix and charge by rules and regulations the fees, if any, to be paid for certified copies or abstracts of certificates or for search of the files for birth, death, fetal death, marriage or divorce records when no certified copy or abstract is made. Fees for certified copies or abstracts of certificates shall be fixed by rules and regulations of the secretary except that the fee for the first copy of a birth or death certificate or abstract shall include a \$3 surcharge and the fee for each additional copy of the same birth or death certificate or abstract requested at the same time shall include a \$1 surcharge. Except as otherwise provided in this section, the secretary shall remit all moneys received by or for the secretary from fees, charges or penalties, under the uniform vital statistics act and amendments thereto, to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the civil registration and health statistics fee fund created by section 1, and amendments thereto.~~

(2) The secretary shall not charge any fee for a certified copy of a certificate or abstract or for a search of the files or records if the certificate, abstract or search is requested by a person who exhibits correspondence from the United States department of veterans affairs or the Kansas commission on veterans' affairs which indicates that the person is applying for benefits from the United States department of veterans affairs and that such person needs the requested information to obtain such benefits, except that, for a second or subsequent *certified* copy of a certificate, abstract or search of the files requested by the person, the usual fee shall be charged. The secretary may provide by rules and regulations for exemptions from such fees.

~~(b) Subject to K.S.A. 65-2420, and amendments thereto, the national office of vital statistics may be furnished copies or data it requires for national statistics. The state shall be reimbursed for the cost of furnishing the data. The data shall not be used for other than statistical purposes by the national office of vital statistics unless so authorized by the state registrar of vital statistics.~~

~~(c) (1) The secretary shall remit all moneys received by or for the secretary from fees, charges or penalties to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, other than remittances for fees for birth certificates or abstracts, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state general fund.~~

~~(2)~~ (3) Upon receipt of any such remittance of a fee for a *certified copy of a birth certificate or abstract*, \$3 of each such fee for the first

copy of a birth certificate or abstract and \$1 of each such fee for each additional copy of the same birth certificate or abstract requested at the same time shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the permanent families account of the family and children investment fund created by K.S.A. 38-1808, and amendments thereto. *The balance of the money received for a fee for a certified copy of a birth certificate or abstract shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the civil registration and health statistics fee fund created under this act.*

(4) Upon receipt of any such remittance of a fee for a *certified copy of a death certificate or abstract*, ~~\$3~~ \$4 of each such fee for the first *certified copy of a death certificate or abstract* and ~~\$1~~ \$2 of each such fee for each additional copy of the same death certificate or abstract requested at the same time shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the district coroners fund created by K.S.A. 22a-245, and amendments thereto. The balance of the money received for a fee for a ~~birth~~ *certified copy of a death certificate or abstract* shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the ~~state general fund~~ *civil registration and health statistics fee fund created by section 1, and amendments thereto.*

~~(d) Upon receipt of any fee for a certified copy or abstract of a birth, death, fetal death, marriage or divorce certificate, \$1 of each such fee shall be remitted to the state treasurer who shall deposit the entire amount of each such remittance in the state treasury and credit it to the vital statistics maintenance fee fund created under K.S.A. 2001 Supp. 65-2418b, and amendments thereto. For the purposes of the vital statistics maintenance fee fund, the secretary of health and environment shall adopt rules and regulations providing for an increase of \$1 in the fees charged by the state registrar for providing a certified copy or abstract of a birth, death, fetal death, marriage or divorce certificate.~~

(b) *Subject to K.S.A. 65-2415, and amendments thereto, the national office of vital statistics may be furnished copies or data it requires for national statistics. The state shall be reimbursed for the cost of furnishing the data. The data shall not be used for other than statistical purposes by the national office of vital statistics unless so authorized by the state registrar of vital statistics.*

Sec. 3. K.S.A. 65-2418, 65-2418b and 65-2418d are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the statute book.

I hereby certify that the above BILL originated in the HOUSE, and passed that body

HOUSE adopted
Conference Committee Report _____

Speaker of the House.

Chief Clerk of the House.

Passed the SENATE
as amended _____

SENATE adopted
Conference Committee Report _____

President of the Senate.

Secretary of the Senate.

APPROVED _____

Governor.