

Stricken language would be deleted from and underlined language would be added to the law as it existed
prior to this session of the General Assembly.
Act 702 of the Regular Session

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007

A Bill

SENATE BILL 267

4
5 By: Senator Bookout
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7

For An Act To Be Entitled

9 AN ACT TO REQUIRE A FACT OF DEATH RECORD TO BE
10 FILED WITH THE DIVISION OF VITAL RECORDS OF THE
11 DIVISION OF HEALTH OF THE DEPARTMENT OF HEALTH
12 AND HUMAN SERVICES; TO ENSURE THE TIMELY RECEIPT
13 OF DEATH INFORMATION; TO ALLOW FAMILY MEMBERS
14 PROMPT ACCESS TO BENEFITS; TO ASSIST IN THE
15 PREVENTION OF FRAUD AND IDENTITY THEFT INVOLVING
16 SOCIAL SECURITY NUMBERS; AND FOR OTHER PURPOSES.
17

Subtitle

18 AN ACT TO REQUIRE A FACT OF DEATH RECORD
19 TO BE FILED WITH THE DIVISION OF VITAL
20 RECORDS AND TO ENSURE THE TIMELY RECEIPT
21 OF DEATH INFORMATION.
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24

25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
26

27 SECTION 1. Arkansas Code § 20-18-601(a) and (b), concerning
28 registration of deaths, are amended to read as follows:

29 (a)(1) A death certificate for each death ~~which~~ that occurs in this
30 state shall be filed with the Division of Vital Records of the Division of
31 Health of the Department of Health and Human Services or as otherwise
32 directed by the State Registrar of Vital Records within ten (10) days after
33 the death or the finding of a dead body and shall be registered if ~~it~~ the
34 death certificate has been completed and filed in accordance with this
35 section.



1 (2) A fact of death record for each death that occurs in this
 2 state shall be filed with the Division of Vital Records within three (3)
 3 calendar days after the death or the finding of a dead body.

4 ~~(2)(3)(A)~~ If the place of death is unknown but the body is found
 5 in this state, the death certificate shall be completed and filed in
 6 accordance with this section.

7 (B) The place where the body is found shall be shown as
 8 the place of death.

9 (C)(i) If the date of death is unknown, it shall be
 10 determined by approximation.

11 (ii) If the date cannot be determined by
 12 approximation, the date found shall be entered and identified as such.

13 ~~(3)(A)~~(4)(A) ~~When~~ If a death occurs in a moving conveyance in
 14 the United States and the body is first removed from the conveyance in this
 15 state, the death shall be registered in this state, and the place where ~~it~~
 16 the body is first removed shall be considered the place of death.

17 (B) ~~When~~ If a death occurs on a moving conveyance while in
 18 international waters or air space or in a foreign country or its air space
 19 and the body is first removed from the conveyance in this state, the death
 20 shall be registered in this state, but the certificate shall show the actual
 21 place of death insofar as the place of death can be determined.

22 (C) In all other cases, the place where death is
 23 pronounced shall be considered the place where death occurred.

24 (b) The funeral director or the person acting as the funeral director
 25 who first assumes custody of the dead body shall:

26 (1) file File the death certificate and fact of death record;

27 (2) He or she shall obtain Obtain the personal data from the
 28 next of kin or the best qualified person or source available;

29 (3) and shall obtain Obtain the medical certification from the
 30 person responsible ~~therefor~~ for the medical certification, as set forth in
 31 subsection (c) of this section; and

32 (4) The funeral director or the person acting as the funeral
 33 director shall provide Provide a death certificate that contains sufficient
 34 information to identify the decedent to the certifier.

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 36 **APPROVED: 3/30/2007**