

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995
4 By: *Senators Snyder and Malone*

A Bill

SENATE BILL 500

For An Act To Be Entitled

"AN ACT TO AMEND THE VITAL STATISTICS ACT, ARKANSAS CODE §
20-18-101, ET SEQ.; AND FOR OTHER PURPOSES."

Subtitle

"TO AMEND THE VITAL STATISTICS ACT."

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

SECTION 1. Arkansas Code 20-18-102 is amended to read as follows:

"20-18-102. Definitions.

As used in this chapter:

(1) Vital statistics means the data derived from certificates and reports of birth, death, fetal death, induced termination of pregnancy, marriage, divorce, or annulment and related reports but does not mean or include the unintentional destruction of a fetus in performance of the surgical procedure dilation and curettage;

(2) System of vital statistics includes the registration, collection, preservation, amendment, and certification of vital records, the collection of other reports required by this chapter, and activities related thereto, including the tabulation, analysis, publication and dissemination of vital statistics;

(3) Vital records means certificates or reports of birth, death, marriage, divorce, or annulment and the data related thereto;

(4) Vital reports means reports of fetal death and induced termination of pregnancy and data related thereto;

(5) File means the presentation and acceptance of a vital record provided for in this chapter for registration by the Division of Vital Records;

1 (6) Date of Filing means the date a vital record is accepted for
2 registration by the Division of Vital Records.

3 (7) Registration means the process by which vital records are
4 completed, filed and incorporated into the official records of the Division
5 of Vital Records;

6 (8) Live birth means the complete expulsion or extraction from its
7 mother of a product of human conception, irrespective of the duration of
8 pregnancy, which, after the expulsion or extraction, breathes or shows any
9 other evidence of life such as beating of the heart, pulsation of the
10 umbilical cord or definite movement of voluntary muscles, whether or not the
11 umbilical cord has been cut or the placenta is attached. Heartbeats shall be
12 distinguished from transient cardiac contractions; respirations shall be
13 distinguished from fleeting respiratory efforts or gasps;

14 (9) Fetal death means death prior to the complete expulsion or
15 extraction from its mother of a product of human conception, irrespective of
16 the duration of pregnancy and which is not an induced termination of
17 pregnancy. The death is indicated by the fact that after the expulsion or
18 extraction, the fetus does not breathe or show any other evidence of life
19 such as beating of the heart, pulsation of the umbilical cord or definite
20 movement of voluntary muscles. Heartbeats shall be distinguished from the
21 transient cardiac contractions, respirations shall be distinguished from
22 fleeting respiratory efforts or gasps;

23 (A) Spontaneous fetal death , stillbirth , or miscarriage
24 means the expulsion or extraction of a product of human conception resulting
25 in other than a live birth and which is not an induced termination of
26 pregnancy;

27 (B) Induced termination of pregnancy means the purposeful
28 interruption of pregnancy with the intention other than to produce a
29 live-born infant, and which does not result in a live birth, except that this
30 definition excludes management of prolonged retention of products of
31 conception following fetal death;

32 (10) Dead body means a human body, or parts of a human body, from the
33 condition of which it reasonably may be concluded that death occurred;

34 (11) Final disposition means the burial, interment, cremation,
35 removal from Arkansas or other authorized disposition of a dead body or

1 fetus;

2 (12) Physician means a person authorized or licensed to practice
3 medicine, chiropractic, or osteopathy pursuant to the laws of this state;

4 (13) Institution means any establishment, public or private, which
5 provides inpatient or out-patient medical, surgical, or diagnostic care or
6 treatment or nursing, custodial, or domiciliary care, or to which persons are
7 committed by law;

8 (14) State Registrar means the State Registrar of Vital Records;

9 (15) Board means the State Board of Health."

10

11 SECTION 2. Arkansas Code 20-18-103 is amended to read as follows:

12 "20-18-103. Applicability.

13 The provisions of this chapter also apply to all certificates of birth,
14 death, marriage, divorce, or annulment, and reports of fetal death and
15 induced termination of pregnancy previously received by the Division of Vital
16 Records *and in the custody of the State Health Department.*"

17

18 SECTION 3. Arkansas Code 20-18-104 is repealed.

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20 SECTION 4. Arkansas Code 20-18-105 is amended to read as follows:

21 "20-18-105. Penalties.

22 (a) The following persons shall be punished by a fine of not more than
23 ten thousand dollars (\$10,000) or by imprisonment for not more than five (5)
24 years, or both:

25 (1) Any person who willfully and knowingly makes any false
26 statement in a certificate, record, or report required to be filed under this
27 chapter, or in an application for an amendment thereof or in an application
28 for a certified copy of a vital record or who willfully and knowingly
29 supplies false information intending that the information be used in the
30 preparation of any report, record, or certificate, or amendment thereof;

31 (2) Any person who without lawful authority and with the intent
32 to deceive, makes, counterfeits, alters, amends, or mutilates any
33 certificate, record, or report required to be filed under this chapter or a
34 certified copy of such certificate, record, or report;

35 (3) Any person who willfully and knowingly obtains, possesses,

1 uses, sells, furnishes, or attempts to obtain, possess, use, sell, or furnish
2 to another, for any purpose of deception, any certificate, record, report, or
3 certified copy thereof so made, counterfeited, altered, amended, or mutilated
4 or which is false in whole or in part or which relates to the birth of
5 another person, whether living or deceased;

6 (4) Any employee of the Division of Vital Records or any office
7 designated under 20-18-203(b) who willfully and knowingly furnishes or
8 processes a certificate of birth, or certified copy of a certificate of
9 birth, with the knowledge or intention that it be used for the purposes of
10 deception;

11 (5) Any person who, without lawful authority, possesses any
12 certificate, record, or report required by this chapter or a copy or
13 certified copy of the certificate, record, or report knowing that it has been
14 stolen or otherwise unlawfully obtained.

15 (b) The following persons shall be punished by a fine of not more than
16 one thousand dollars (\$1,000) or by imprisonment for not more than one (1)
17 year, or both:

18 (1) Any person who willfully and knowingly refuses to provide
19 information required by this chapter or regulations adopted pursuant to it;

20 (2) Any person who willfully and knowingly transports or accepts
21 for transportation, interment, or other disposition, a dead body without an
22 accompanying permit as provided in this chapter; or

23 (3) Any person who willfully and knowingly neglects or violates
24 any of the provisions of this chapter or refuses to perform any of the duties
25 imposed upon him or her by this chapter."

26

27 SECTION 5. Arkansas Code 20-18-201 is amended to read as follows:

28 "20-18-201. Division of Vital Records.

29 (a) There is established in the Department of Health, a Division of
30 Vital Records which shall install, maintain, and operate the only system of
31 vital statistics throughout this state.

32 (b) The Division of Vital Records shall be provided with sufficient
33 staff, suitable offices, and other resources for the proper administration of
34 the statewide system of vital statistics and for the preservation and
35 security of its official records."

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SECTION 6. Arkansas Code 20-18-202 is amended to read as follows:

"20-18-202. Regulatory powers of the State Board of Health.

The board is authorized to adopt, amend, and repeal rules and regulations for the purpose of carrying out the provisions of this chapter. *All rules and regulations adopted under this chapter shall be reviewed by the Joint Interim Committee on Public Health, Welfare, and Labor or an appropriate subcommittee of the committee.*

SECTION 7. Arkansas Code 20-18-203 is amended to read as follows:

"20-18-203. State Registrar of Vital Records.

(a) The Director of the Department of Health shall appoint the State Registrar of Vital Records.

(b)(1) The state registrar shall:

(A) Administer and enforce the provisions of this chapter and the rules and regulations issued hereunder and issue instructions for the efficient administration of the statewide system of vital statistics;

(B) Direct and supervise the statewide system of vital statistics and the Division of Vital Records and be custodian of its records;

(C) Direct, supervise, and control the activities of all persons when they are engaged in activities pertaining to the operation of the statewide system of vital statistics;

(D) Conduct training programs to promote uniformity of policy and procedures throughout the state in matters pertaining to the system of vital statistics;

(E) Prescribe, with the approval of the board, furnish, and distribute forms required by this chapter and the regulations issued hereunder or prescribe such other means for transmission of data as will accomplish the purpose of complete and accurate registration;

(F) Prepare and publish reports of vital statistics of this state and such other reports as may be required by the board;

(G) Provide to local health agencies copies of or data derived from certificates and reports required under this chapter, as deemed necessary for local health planning and program activities.

(i) The State Registrar shall establish a schedule

1 with each local health agency for transmittal of the copies or data.

2 (ii) The copies or data shall remain the property of
3 the Division of Vital Records, and the uses which may be made of them shall
4 be governed by the State Registrar.

5 (2) The state registrar may establish or designate additional
6 offices in the state to aid in the efficient administration of the statewide
7 system of vital statistics.

8 (3) The state registrar may delegate functions and duties vested
9 in him or her to employees of the Division of Vital Records and to employees
10 of an office established or designated under subdivision (b)(2) of this
11 section.

12 (4) The state registrar shall provide copies of certificates or
13 reports required under this chapter or data derived from such certificates or
14 reports, as deemed necessary, to the Division of Health Statistics for
15 statistical analysis and presentation.

16 (A) The state registrar shall establish a schedule for the
17 transmittal with the division.

18 (B) The records or data shall remain the property of the
19 Division of Vital Records and the uses which may be made of the records or
20 data shall be governed by the state registrar.

21 (C) A schedule for the disposition of the certificates,
22 reports, or data provided under subdivision (b)(4) of this section shall be
23 established by the state registrar.

24 (5) To protect the integrity of vital records and to prevent
25 the fraudulent use of birth certificates of deceased persons, the State
26 Registrar may match birth and death certificates, in accordance with
27 regulations, which require proof beyond a reasonable doubt of the fact of
28 death and to post the facts of death to the appropriate birth certificate and
29 mark the birth certificate Deceased. Copies issued from birth certificates
30 of deceased persons shall be similarly marked."

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32 SECTION 8. Arkansas Code 20-18-301 is amended to read as follows:

33 "20-18-301. Content of certificates and reports.

34 (a) In order to promote and maintain nationwide uniformity in the
35 system of vital statistics, the forms of certificates, reports, and records

1 required by this chapter, or by regulations adopted hereunder, shall include
2 as a minimum the items recommended by the federal agency responsible for
3 national vital statistics.

4 (b) Each certificate, report, record, and form required by this act
5 shall be prepared in the format approved by the State Registrar.

6 (c) All vital records and reports shall contain the date of filing.

7 (d) Information required in certificates, reports, records or forms
8 authorized by this chapter may be filed, verified, registered and stored by
9 photographic, electronic, or other means as prescribed by the state
10 registrar."

11

12 SECTION 9. Arkansas Code 20-18-302 is amended to read as follows:

13 "20-18-302. Persons required to keep records.

14 (a) Every person in charge of an institution as defined in this
15 chapter shall keep a record of personal data concerning each person admitted
16 or confined to the institution.

17 (1) This record shall include such information as required by
18 the certificates of birth and death and the reports of fetal death and
19 induced termination of pregnancy forms required by this chapter.

20 (2) The record shall be made at the time of admission from
21 information provided by the person being admitted or confined, but when it
22 cannot be so obtained, the information shall be obtained from relatives or
23 other persons acquainted with the facts. The name and address of the person
24 providing the information shall be a part of the record.

25 (b) When a dead body is released or disposed of by an institution, the
26 person in charge of the institution shall keep a record showing the name of
27 the decedent, date of death, name and address of the person to whom the body
28 or fetus is released, date of removal from the institution; or if finally
29 disposed of by the institution, the date, place, and manner of disposition
30 shall be recorded.

31 (c) A funeral director, embalmer, sexton or other person who removes
32 from the place of death or transports or finally disposes of a dead body or
33 fetus, in addition to filing any certificate or other report required by this
34 chapter or regulations promulgated hereunder, shall keep a record which shall
35 identify the body, and such information pertaining to the receipt, removal,

1 and delivery of the body as may be required in regulations adopted by the
2 board.

3 (d) Records maintained under this section shall be retained for a
4 period of not less than one (1) year and shall be made available for
5 inspection by the state registrar or his or her representative upon demand."
6

7 SECTION 10. Arkansas Code 20-18-303 is amended to read as follows:

8 "20-18-303. Duty to furnish information.

9 (a) Any person having knowledge of the facts shall furnish such
10 information as he may possess regarding any birth, death, spontaneous fetal
11 death, induced termination of pregnancy, marriage, divorce, or annulment upon
12 demand of the state registrar.

13 (b) Any person or institution that in good faith provides information
14 required by this chapter or regulations promulgated hereunder shall not be
15 subject to any action for damages.

16 (c) Not later than the tenth day of the month following the month of
17 occurrence, the administrator of each institution shall send to the Division
18 of Vital Records a list showing all births and deaths occurring in that
19 institution during the preceding month. The lists shall be on forms approved
20 by the State Registrar.

21 (d) Not later than the tenth day of the month following the month of
22 occurrence, each funeral director shall send to the Division of Vital Records
23 a list showing all dead bodies embalmed or otherwise prepared for final
24 disposition or dead bodies finally disposed of by the funeral director during
25 the preceding month. The list shall be made on forms provided by the State
26 Registrar."
27

28 SECTION 11. Arkansas Code 20-18-304 is amended to read as follows:

29 "20-18-304. Disclosure of information prohibited - Exceptions.

30 (a) To protect the integrity of vital records and vital reports, to
31 insure their proper use, and to insure the efficient and proper
32 administration of the system of vital statistics, it shall be unlawful for
33 any person to permit inspection of or to disclose information contained in
34 vital records or vital reports or to copy or issue a copy of all or part of
35 any record or report except as authorized by this chapter and by regulation

1 or by order of a court of competent jurisdiction. The regulations shall
2 provide for adequate standards of security and confidentiality of vital
3 records and vital reports.

4 (b) The board may authorize by regulation the disclosure of
5 information contained in vital records for research purposes. Disclosure of
6 information which may identify any person or institution named in any vital
7 record or vital report may be made only pursuant to regulations which require
8 submission of written requests for information by researchers and execution
9 of agreements that protect the confidentiality of the information provided.
10 The agreements shall prohibit the release by the researcher of any
11 information that might identify any person or institution other than releases
12 that may be provided for in the agreement. For purposes of this act
13 research means a systematic investigation designed primarily to develop or
14 contribute to generalizable knowledge. Nothing in this act prohibits the
15 release of information or data which would not identify any person or
16 institution named in a vital record or vital report.

17 (c) Appeals from decisions of custodians of vital records or vital
18 reports designated under 20-18-203(b), who refuse to disclose information
19 from records or reports as prescribed by this section and the regulations
20 issued hereunder, shall be made to the state registrar, whose decision shall
21 be binding upon such custodians."

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23 SECTION 12. Arkansas Code 20-18-305 is amended to read as follows:

24 "20-18-305. Issuance of certified copies and data from the vital
25 statistics system.

26 In accordance with § 20-18-304 and the regulations adopted pursuant
27 thereto:

28 (1) The state registrar and other custodians of vital records
29 designated by the state registrar under 20-18-203(b)(2), shall upon receipt
30 of written application issue a certified copy of a vital record in his or her
31 custody or a part thereof to the registrant, his or her spouse, child,
32 parent, guardian or their respective authorized designated representative.
33 Others may be authorized to obtain certified copies when they demonstrate
34 that the record is needed for the determination or protection of his or her
35 personal or property rights. The board may adopt regulations to further

1 define those who may obtain copies of vital records filed under this act.

2 (2) All forms and procedures used in the issuance of certified copies
3 of vital records in the state shall be uniform and approved by the state
4 registrar. All certified copies issued shall have security features that
5 deter persons from altering, counterfeiting, duplicating or simulating the
6 document.

7 (3) Each copy or abstract issued shall show the date of registration
8 and copies or abstracts issued from records marked Delayed, Amended, or
9 Certificate of Foreign Birth shall be similarly marked and show the
10 effective date;

11 (4) A certified copy or other copy of a death certificate containing
12 cause of death information shall not be issued except as follows:

13 (A) upon specific request of a spouse, child, parent, or other
14 next of kin of the decedent or an authorized representative;

15 (B) when a documented need for the cause of death to establish a
16 legal right or claim has been demonstrated;

17 (C) when the request for the copy is made by or on the behalf of
18 an organization that provides benefits to the decedent's survivors or
19 beneficiaries;

20 (D) upon specific request by local, state, or federal agencies
21 for research or administrative purposes approved by the State Registrar;

22 (E) when needed for research activities approved by the State
23 Registrar; or

24 (F) upon receipt of an order from a court of competent
25 jurisdiction ordering such release;

26 (5) A certified copy of a vital record or any part thereof, issued in
27 accordance with subdivision (1) of this section, shall be considered for all
28 purposes the same as the original and shall be prima facie evidence of the
29 facts stated therein, provided that the evidentiary value of a certificate or
30 record filed more than one (1) year after the event, or a record which has
31 been amended, or a certificate of foreign birth shall be determined by the
32 judicial or administrative body or official before whom the certificate is
33 offered as evidence;

34 (6) The federal agency responsible for national vital statistics may be
35 furnished such copies or data from the system of vital statistics as it may

1 require for national statistics. The State Registrar shall enter into an
2 agreement with the federal agency that specifies the statistical or research
3 purposes for which the records, reports or data may be used. The agreement
4 shall also set forth the support to be provided by the federal agency for the
5 collection, processing and transmission of such records, reports or data.
6 Upon written request of the federal agency, the state registrar may approve,
7 in writing, additional statistical or research uses of the records, reports
8 or data supplied under the agreement;

9 (7) Federal, state, local, and other public government agencies may,
10 upon request, be furnished copies of records, reports or data, provided that
11 the copies or data shall be used solely in the conduct of their official
12 duties;

13 (8)(A) The state registrar may, by agreement, transmit copies of
14 records and other reports required by this chapter to offices of vital
15 statistics outside this state when the records or other reports relate to
16 residents of those jurisdictions or persons born in those jurisdictions.

17 (i) The agreement shall require that the transcripts be
18 used for statistical and administrative purposes only as specified in the
19 agreement; and

20 (ii) The agreement shall provide instruction for the
21 proper retention and disposition of copies;

22 (B) Copies received from other jurisdictions by the Division of
23 Vital Statistics shall be handled in the same manner as prescribed in
24 subdivision (8) of this section;

25 (9) When one hundred (100) years have elapsed after the date of birth
26 or fifty (50) years have elapsed after the date of death, marriage, divorce,
27 or annulment, the records of these events in the custody of the State
28 Registrar shall become available to the public without restriction, in
29 accordance with regulations which shall provide for the continued safekeeping
30 of the records.

31 (10) Nothing in this section shall be construed to permit disclosure
32 of information contained in the Information for Medical and Health Use Only
33 section of the birth certificate or the Information for Statistical Purposes
34 Only section of the certificate of marriage or certificate of divorce or
35 annulment, unless specifically authorized by the State Registrar for

1 statistical or research purposes.

2 (11) No person shall prepare or issue any certificate which purports to
3 be an original, certified copy, or copy of a vital record except as
4 authorized in this chapter or regulations adopted pursuant to it;

5 (12) When the State Registrar receives information that a certificate
6 may have been registered through fraud or misrepresentation, he or she shall
7 withhold issuance of any copy of that certificate pending an administrative
8 hearing to determine whether fraud or misrepresentation has occurred. The
9 State Registrar shall offer the registrant or the registrant_s authorized
10 representative notice and opportunity to be heard. If upon conclusion of the
11 hearing no fraud or misrepresentation is found, copies may be issued. If
12 upon conclusion of the hearing, fraud or misrepresentation is found, the
13 State Registrar shall remove the certificate from the file. The certificate
14 and evidence shall be retained but shall not be subject to inspection or
15 copying, except upon order of a court of competent jurisdiction or by the
16 State Registrar for purposes of administering the vital statistics program."

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18 SECTION 13. Arkansas Code 20-18-306 is amended to read as follows:

19 "20-18-306. Fees for certified copies.

20 (a)(1) All fees for certified copies of vital records or reports under
21 the Vital Statistics Act are listed in A.C.A. § 20-7-123.

22 (2) However, certified copies of the records shall be furnished
23 to veterans or their dependents without costs when the Department of Veterans
24 Affairs requires certified copies of the records.

25 (A) Any veteran or his dependents shall make application
26 and shall execute an unnotarized affidavit that he is a veteran or a
27 dependent of a veteran in order to obtain the free certified copy of any
28 record.

29 (B) Any person who falsely or fraudulently makes an
30 application and unnotarized affidavit that he is a veteran or a dependent of
31 a veteran when the person is not a veteran or a dependent of a veteran shall
32 be guilty of a misdemeanor. Upon conviction, the person shall be subject to a
33 fine of not less than fifty dollars (\$50.00) nor more than two hundred fifty
34 dollars (\$250), or imprisonment for not less than thirty (30) days nor more
35 than six (6) months, or both such fine and imprisonment."

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SECTION 14. Arkansas Code 20-18-307 is amended to read as follows:

"20-18-307. Amendment of Vital Records and Reports.

(a) A certificate, report or record registered under this chapter may be amended only in accordance with this chapter and regulations adopted by the board to protect the integrity and accuracy of vital records and reports.

(b)(1) A certificate, report or record that is amended under this section shall be marked Amended. The date of amendment, the identity of the person making the amendment and a summary description of the evidence submitted in support of the amendment shall be made a part of the record or report.

(2) The board shall prescribe by regulation the conditions under which additions or minor corrections may be made to certificates or records within one (1) year after the date of the event without the certificate or record being considered as amended.

(c) Upon receipt of a certified copy of an order of a court of competent jurisdiction changing the name of a person born in this state and upon request of the person or his or her parents, guardian or legal representative, the state registrar shall amend the certificate of birth to show the new name.

(d) Upon receipt of a certified copy of an order of a court of competent jurisdiction indicating that the sex of an individual born in this state has been changed by surgical procedure and that such individual's name has been changed, the certificate of birth of such individual shall be amended accordingly.

(e) When an applicant does not submit the minimum documentation required in the regulations for amending a vital record or when the state registrar has cause to question the validity or adequacy of the applicant's sworn statements or the documentary evidence and if the deficiencies are not corrected, the state registrar shall not amend the vital record and shall advise the applicant of the reason for this action. The state registrar shall advise the applicant of his or her right of appeal to a court of competent jurisdiction.

(f) When a certificate or record is amended under this section by the state registrar, the state registrar shall report the amendment to any other

1 custodian of the vital record and the record shall be amended accordingly.

2 (g) When an amendment is made to a certificate of marriage, divorce,
3 or annulment by the local official issuing the marriage license or the court
4 entering the decree of divorce or annulment, copies of the amendment shall be
5 forwarded to the state registrar."

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7 SECTION 15. Arkansas Code 20-18-308 is amended to read as follows:

8 "20-18-308. Reproduction.

9 (a) To preserve vital records, the state registrar is authorized to
10 prepare typewritten, photographic, electronic, or other reproductions of
11 original records and files in the Division of Vital Records.

12 (b) The reproductions, when verified and approved by the state
13 registrar, shall be accepted as the original records.

14 (c) The documents from which permanent reproductions have been made
15 may be disposed of as provided by regulation."

16

17 SECTION 16. Arkansas Code 20-18-401 is amended to read as follows:

18 "20-18-401. Birth registration generally.

19 (a) A certificate of birth for each live birth which occurs in this
20 state shall be filed with the Division of Vital Records, or as otherwise
21 directed by the state registrar, within ten (10) days after the birth and
22 shall be registered if it has been completed and filed in accordance with
23 this section.

24 (b) When a birth occurs in an institution or en route thereto, the
25 person in charge of the institution or his or her authorized designee shall
26 obtain the personal data, prepare the certificate, certify that the child was
27 born alive at the place, time and date stated on the certificate either by
28 signature or in an approved electronic process, and file the certificate as
29 directed in subsection (a). The physician or other person in attendance shall
30 provide the medical information required by the certificate within
31 seventy-two (72) hours after the birth.

32 (c) When a birth occurs outside an institution,

33 (1) the certificate shall be prepared and filed by one (1) of the
34 following in the indicated order of priority:

35 (A) The physician in attendance at or immediately after the

1 birth, or in the absence of such a person;

2 (B) Any other person in attendance at or immediately after
3 the birth, or in the absence of such a person;

4 (C) The father, the mother, or in the absence of the father
5 and the inability of the mother, the person in charge of the premises where
6 the birth occurred.

7 (2) the Division of Vital Records shall determine what evidence
8 may be required to establish the fact of birth.

9 (d) When a birth occurs on a moving conveyance within the United
10 States and the child is first removed from the conveyance in this state, the
11 birth shall be registered in this state and the place where it is first
12 removed shall be considered the place of birth. When a birth occurs on a
13 moving conveyance while in international waters or air space or in a foreign
14 country or its air space and the child is first removed from the conveyance
15 in this state, the birth shall be registered in this state, but the
16 certificate shall show the actual place of birth insofar as can be
17 determined.

18 (e) For the purposes of birth registration, the mother is deemed to be
19 the woman who gives birth to the child, unless otherwise provided by state
20 law or determined by a court of competent jurisdiction prior to the filing of
21 the birth certificate. The information about the father shall be entered as
22 provided in subsection (f).

23 (f)(1) If the mother was married at the time of either conception or
24 birth, or between conception and birth, the name of the husband shall be
25 entered on the certificate as the father of the child, unless:

26 (A) paternity has been determined otherwise by a court of
27 competent jurisdiction; or

28 (B) the mother executes an affidavit attesting that the
29 husband is not the father and that the putative father is the father, and the
30 putative father executes an affidavit attesting that he is the father and the
31 husband executes an affidavit attesting that he is not the father.

32 Affidavits may be joint or individual or a combination thereof, and each
33 signature shall be individually notarized. In such event, the putative
34 father shall be shown as the father on the certificate and the parents may
35 give the child any surname they choose.

1 (2) If the mother was not married at the time of either
2 conception or birth or between conception and birth, the name of the father
3 shall not be entered on the certificate of birth without an affidavit of
4 paternity signed by the mother and the person to be named as the father. The
5 parents may give the child any surname they choose.

6 (3) In any case in which paternity of a child is determined by a
7 court of competent jurisdiction, the name of the father and surname of the
8 child shall be entered on the certificate of birth in accordance with the
9 finding and order of the court.

10 (4) If the father is not named on the certificate of birth, no
11 other information about the father shall be entered on the certificate.

12 (g) Either of the parents of the child, or other informant, shall
13 verify by signature or electronic process the accuracy of the personal data
14 to be entered on the certificate in time to permit the filing of the
15 certificate within the ten (10) days prescribed in this section.

16 (h) Certificates of birth filed after ten (10) days, but within one
17 (1) year from the date of birth shall be registered on the standard form of
18 live birth certificate in the manner prescribed above. Such certificates
19 shall not be marked _Delayed_. The State Registrar may require additional
20 evidence in support of the facts of birth."
21

22 SECTION 17. Arkansas Code 20-18-402 is amended to read as follows:
23 "20-18-402. Delayed registration of birth.

24 (a) When the certificate of birth of a person born in the state has
25 not been filed within one (1) year, a delayed certificate of birth may be
26 filed in accordance with regulations of the board. No delayed certificate
27 shall be registered until the evidentiary requirements as specified in
28 regulations have been met.

29 (b) Such birth shall be registered on a delayed certificate of birth
30 form and show on its face the date of registration. The delayed certificate
31 shall contain a summary statement of the evidence submitted in support of the
32 delayed registration.

33 (c) No delayed certificate of birth shall be registered for a deceased
34 person.

35 (d)(1) When an applicant does not submit the minimum documentation

1 required in the regulations for delayed registration or when the state
2 registrar has cause to question the validity or adequacy of the applicant's
3 sworn statement or the documentary evidence, and, if the deficiencies are not
4 corrected, the state registrar shall not register the delayed certificate of
5 birth and shall advise the applicant of the reasons for this action. The
6 state registrar shall further advise the applicant of his or her right of
7 appeal to a court of competent jurisdiction.

8 (2) The board may by regulation provide for the dismissal of an
9 application which is not actively prosecuted.

10

11 SECTION 18. Arkansas Code 20-18-403 is amended to read as follows:

12 "20-18-403. Judicial procedure to register birth.

13 (a) If the state registrar refuses to file a certificate of birth
14 under the provisions of § 20-18-401 or § 20-18-402, a petition may be filed
15 with a court of competent jurisdiction for an order establishing a record of
16 the date and place of the birth and the parentage of the person whose birth
17 is to be registered.

18 (b) The petition shall be made on a form prescribed and furnished or
19 approved by the state registrar and shall allege:

20 (1) That the person for whom a delayed certificate of birth is
21 sought was born in this state;

22 (2) That no certificate of birth of the person can be found in
23 the Division of Vital Records;

24 (3) That diligent efforts by the petitioner have failed to
25 obtain the evidence required in accordance with § 20-18-401 or § 20-18-402
26 and regulations adopted pursuant thereto;

27 (4) That the state registrar has refused to file a certificate
28 of birth; and

29 (5) Such other allegations as may be required.

30 (c) The petition shall be accompanied by a statement of the state
31 registrar made in accordance with § 20-18-401 or § 20-18-402 and all
32 documentary evidence which was submitted to the state registrar in support of
33 the registration.

34 (d) The court shall fix a time and place for hearing the petition and
35 shall give the state registrar ten (10) days' notice of the hearing. The

1 state registrar or his or her authorized representative may appear and
2 testify in the proceeding.

3 (e) If the court finds, from the evidence presented, that the person
4 for whom a certificate of birth is sought was born in the state, it shall
5 make findings as to the place and date of birth, parentage, and other
6 findings as the case may require and shall issue an order, on a form
7 prescribed and furnished or approved by the state registrar, to establish a
8 court order certificate of birth. This order shall include the birth data to
9 be registered, a description of the evidence presented, and the date of the
10 court's action.

11 (f) The clerk of court shall forward each order to the state registrar
12 not later than the tenth day of the calendar month following the month in
13 which it was entered. The order shall be registered by the state registrar
14 and shall constitute the court order certificate of birth."
15

16 SECTION 19. Arkansas Code 20-18-404 is amended to read as follows:
17 "20-18-404. Infants of unknown parentage.

18 (a) Whoever assumes the custody of a live-born infant of unknown
19 parentage shall report on a form and in a manner prescribed by the state
20 registrar within ten (10) days to the Division of Vital Records the following
21 information:

22 (1) The date and city and/or county of finding;

23 (2) Sex and approximate birth date of child;

24 (3) Name and address of the person or institution with whom the
25 child has been placed for care;

26 (4) Name given to the child by the custodian of the child; and

27 (5) Other data required by the state registrar.

28 (b) The place where the child was found shall be entered as the place
29 of birth.

30 (c) A report registered under this section shall constitute the
31 certificate of birth for the child.

32 (d) If the child is identified and a certificate of birth is found or
33 obtained, the report registered under this section shall be placed in a
34 special file and shall not be subject to inspection except upon order of a
35 court of competent jurisdiction or as provided by regulation."

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SECTION 20. Arkansas Code 20-18-405 is amended to read as follows:

"20-18-405. Adoption - Court reports.

(a) For each adoption decreed by a court of competent jurisdiction in this state, the court shall require the preparation of a certificate of adoption on a form prescribed and furnished by the state registrar. The certificate of adoption shall include such facts as are necessary to locate and identify the certificate of birth of the person adopted or, in the case of a person who was born in a foreign country, evidence from sources determined to be reliable by the court as to the date and place of birth of such person. The certificate of adoption shall also provide information necessary to establish a new certificate of birth of the person adopted, and identify the order of adoption. The report shall be certified by the clerk of court.

(b) Information necessary to prepare the report of adoption shall be furnished by each petitioner for adoption or his or her attorney.

(1) The social service agency or any person having knowledge of the facts shall supply the court with such information as may be necessary to complete the report.

(2) The provision of the information shall be a prerequisite to the issuance of a final decree in the matter by the court.

(c) Whenever an adoption decree is amended or annulled, the clerk of the court shall prepare a report, which shall include such facts as are necessary to identify the original certificate of adoption and the facts amended in the adoption decree as are necessary to properly amend the birth record.

(d) Not later than the tenth day of each calendar month, or more frequently as directed by the state registrar, the clerk of the court shall forward to the state registrar certificates of adoption, reports of annulments of adoption, or amendments of certificates of adoption entered in the preceding month, together with related reports as the state registrar shall require.

(e) When the state registrar receives a certificate of adoption or report of annulment of adoption or amendment of a certificate of adoption from a court for a person born outside this state, the report shall be

1 forwarded to the state registrar in the state of birth.

2 (f) If the birth occurred in a foreign country, and the child was not
3 a citizen of the United States at the time of birth, the State Registrar
4 shall prepare a Certificate of Foreign Birth as provided by 20-18-406. If
5 the child was born in Canada, the State Registrar shall also send a copy of
6 the certificate of adoption, report of annulment of adoption, or amendment of
7 a certificate of adoption to the appropriate registration authority in that
8 country.

9 (g) If the child was born in a foreign country but was a citizen of
10 the United States at the time of birth, the State Registrar shall not prepare
11 a Certificate of Foreign Birth but shall notify the adoptive parents of the
12 procedures for obtaining a revised birth certificate for their child through
13 the United States Department of State."

14

15 SECTION 21. Arkansas Code 20-18-406 is amended to read as follows:

16 "20-18-406. New certificates.

17 (a) The state registrar shall establish a new certificate of birth for
18 a person born in this state when he or she receives the following:

19 (1) A certificate of adoption as provided in § 20-18-405, or a
20 certificate of adoption prepared and filed in accordance with the laws of
21 another state or foreign country, or a certified copy of the decree of
22 adoption, together with the information necessary to identify the original
23 certificate of birth and to establish a new certificate of birth. However, a
24 new certificate of birth shall not be established if so requested by the
25 court decreeing the adoption, the adoptive parents, or the adopted person;

26 (2) A request that a new certificate be established and any
27 evidence, as required by regulation, proving that the person has been
28 legitimated, or that a court of competent jurisdiction has determined the
29 paternity of the person or that both parents have acknowledged the paternity
30 of the person and request that the surname be changed from that shown on the
31 original certificate.

32 (b) When a new certificate of birth is established, the actual city
33 and/or county and date of birth shall be shown. The new certificate shall be
34 substituted for the original certificate of birth. Thereafter, the original
35 certificate and the evidence of adoption, paternity determination, or

1 legitimation shall not be subject to inspection except upon order of an
2 Arkansas court of competent jurisdiction or as provided by regulation.

3 (c) Upon receipt of a report of an amended certificate of adoption, the
4 certificate of birth shall be amended as provided by regulation.

5 (d) Upon receipt of a report of annulment of adoption, the original
6 certificate of birth shall be restored to its place in the files, and the new
7 certificate and evidence shall not be subject to inspection except upon order
8 of a court of competent jurisdiction or as provided by regulation.

9 (e) Upon written request of both parents and receipt of a sworn
10 acknowledgment of paternity signed by both parents of a child born out of
11 wedlock, the State Registrar shall reflect paternity on the certificate of
12 birth in the manner prescribed by regulation if paternity is not already
13 shown on the certificate of birth.

14 (f)(1) The State Registrar of Vital Records shall, upon request,
15 prepare and register an Arkansas certificate of birth for a person born in a
16 foreign country, who is not a citizen of the United States, and for whom a
17 final order of adoption has been entered in a court of competent jurisdiction
18 in Arkansas when he or she receives the following:

19 (A) A certificate of adoption as provided in § 20-18-405;

20 (B) Proof of the date and place of the adopted child's
21 birth;

22 (C) A request by the court decreeing the adoption, the
23 adoptive parents, or the adopted person if eighteen (18) years of age or
24 older.

25 (2) After preparation of the birth certificate in the new name
26 of the adopted person, the State Registrar of Vital Records shall seal and
27 file the certificate of adoption. This certificate shall not be subject to
28 inspection except upon order of a court of competent jurisdiction or as
29 provided by regulation or as otherwise provided by state law.

30 (3) The birth certificate shall show the actual foreign country
31 of birth, and shall state that the certificate is not evidence of United
32 States citizenship for the child for whom it is issued.

33 (g) If no certificate of birth is on file for the person for whom a new
34 birth certificate is to be established under this section and the date and
35 place of birth have not been determined in the adoption or paternity

1 proceedings, a delayed certificate of birth shall be filed with the state
2 registrar as provided in § 20-18-402 or § 20-18-403 before a new certificate
3 of birth is established. The new birth certificate shall be prepared on the
4 delayed birth certificate form.

5 (h) When a new certificate of birth is established by the State
6 Registrar, all copies of the original certificate of birth in the custody of
7 any other custodian of vital records in this state shall be sealed from
8 inspection or forwarded to the State Registrar as he or she shall direct."
9

10 SECTION 22. Arkansas Code 20-18-408 is amended to read as follows:

11 "20-18-408. Notice to parents regarding affidavits of paternity.

12 Upon the birth of a child to a woman that was unmarried at the time of
13 either conception or birth or between conception and birth, the person
14 responsible under § 20-18-401 for providing birth registration information
15 shall:

16 (1) Provide an opportunity for the child's mother and natural father
17 to complete an affidavit acknowledging paternity, to include such information
18 as is required by the court to establish paternity and establish a child
19 support obligation and to be filed with the Division of Vital Records of the
20 Department of Health;

21 (2) Provide written information, furnished by the Office of Child
22 Support Enforcement, to the child's mother and natural father explaining the
23 implications of signing an affidavit of paternity and parental rights and
24 responsibilities; and

25 (3) Provide written information, furnished by the Office of Child
26 Support Enforcement, to the child's mother regarding the benefits of having
27 her child's paternity established and the availability of paternity
28 establishment services, including a request for support enforcement
29 services."

30 SECTION 23. Arkansas Code 20-18-501 is amended to read as follows:

31 "20-18-501. Marriage registration.

32 (a) A record of each marriage performed in this state shall be filed
33 with the Division of Vital Records and shall be registered if it has been
34 completed and filed in accordance with this section.

35 (b) The official who issues the marriage license shall prepare the

1 record on the form prescribed by the state registrar upon the basis of
2 information obtained from one of the parties to be married.

3 (c) Every person who performs a marriage shall certify the fact of
4 marriage and return the record to the official who issued the license within
5 fifteen (15) days after the ceremony.

6 (d) Every official issuing marriage licenses shall complete and
7 forward to the Division of Vital Records on or before the thirtieth day of
8 each calendar month the records of marriages filed with him or her during the
9 preceding calendar month.

10 (e) A marriage record not filed within the time prescribed by statute
11 may be registered in accordance with regulations of the board."

12

13 SECTION 24. Arkansas Code 20-18-502 is amended to read as follows:

14 "20-18-502. Divorce or annulment registration.

15 (a) For each divorce or annulment granted by any court in this state,
16 a record shall be filed by the clerk of court with the Division of Vital
17 Records and shall be registered if it has been completed and filed in
18 accordance with this section.

19 (1) The record shall be prepared on a form prescribed and
20 furnished by the state registrar by the petitioner or his or her legal
21 representative and shall be presented to the clerk of court with the
22 petition.

23 (2) In all cases, the completed record shall be a prerequisite
24 to the entry of the decree.

25 (b) The clerk of court shall complete and forward to the Division of
26 Vital Records on or before the thirtieth day of each calendar month the
27 records of each divorce or annulment filed with him or her during the
28 preceding calendar month."

29

30 SECTION 25. Arkansas Code 20-18-601 is amended to read as follows:

31 "20-18-601. Registration generally.

32 (a) A death certificate for each death which occurs in this state
33 shall be filed with the Division of Vital Records, or as otherwise directed
34 by the state registrar, within ten (10) days after death or the finding of a
35 dead body shall be registered if it has been completed and filed in

1 accordance with this section.

2 (1) If the place of death is unknown but the body is found in
3 this state, the death certificate shall be completed and filed in accordance
4 with this section. The place where the body is found shall be shown as the
5 place of death. If the date of death is unknown, it shall be determined by
6 approximation. If the date cannot be determined by approximation, the date
7 found shall be entered and identified as such.

8 (2)(A) When death occurs in a moving conveyance in the United
9 States and the body is first removed from the conveyance in this state, the
10 death shall be registered in this state and the place where it is first
11 removed shall be considered the place of death.

12 (B) When a death occurs on a moving conveyance while in
13 international waters or air space or in a foreign country or its air space
14 and the body is first removed from the conveyance in this state, the death
15 shall be registered in this state but the certificate shall show the actual
16 place of death insofar as can be determined.

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

19 (b) The funeral director, or person acting as such, who first assumes
20 custody of the dead body shall file the death certificate. He or she shall
21 obtain the personal data from the next of kin or the best qualified person or
22 source available and shall obtain the medical certification from the person
23 responsible therefor, as set forth in subsection (c) of this section. The
24 funeral director, or person acting as such, shall provide a death certificate
25 that contains sufficient information to identify the decedent to the
26 certifier.

27 (c) The medical certification shall be completed, signed, and returned
28 to the funeral director within two (2) business days after receipt of the
29 death certificate by the physician in charge of the patient's care for the
30 illness or condition which resulted in death, except when inquiry is required
31 by § 12-12-315, § 12-12-318, or § 14-15-301, et seq.

32 (1) In the absence of the physician, or with his or her
33 approval, the certificate may be completed and signed by his or her associate
34 physician, the chief medical officer of the institution in which death
35 occurred, by the pathologist who performed an autopsy upon the decedent, or

1 by a registered nurse as provided in subdivision (c)(2), provided the
2 individual has access to the medical history of the case, views the deceased
3 at or after death, and death is due to natural causes. The person completing
4 the cause-of-death section of the certificate shall attest to its accuracy
5 either by a signature or by approved electronic process.

6 (2) A registered nurse employed by the attending hospice may
7 complete and sign the medical certification of death for a patient who is
8 terminally ill, whose death is anticipated, who is receiving services from a
9 hospice program certified under Arkansas Code § 20-7-117 and who dies in a
10 hospice inpatient program or as a hospice patient in a nursing home.

11 (3) In the event the hospice patient dies in the home, the
12 registered nurse may make pronouncement of death, however the county coroner
13 and the chief law enforcement official of the county or municipality where
14 death occurred must be immediately notified in accordance with Arkansas Code
15 12-12-315.

16 (4) The Arkansas Department of Health shall provide hospitals,
17 nursing homes and hospices with the appropriate death certificate forms which
18 will be made available to the attending physicians, coroners or other
19 certifiers of death. When death occurs outside these health facilities, the
20 funeral home will provide the death certificate to the certifier.

21 (d) If the cause of death appears to be other than the illness or
22 condition for which the deceased was being treated or if inquiry is required
23 by either of the laws referred to in subsection (c) of this section, the case
24 shall be referred to the Office of State Medical Examiner or coroner in the
25 jurisdiction where the death occurred or the body was found for investigation
26 to determine and certify the cause of death. If the state medical examiner or
27 county coroner determines that the case does not fall within his
28 jurisdiction, he shall within twenty-four (24) hours refer the case back to
29 the physician for completion of the medical certification.

30 (e) When inquiry is required by either of the laws referred to in
31 subsection (c) of this section, the state medical examiner or coroner in the
32 jurisdiction where the death occurred or the body was found shall determine
33 the cause of death and shall complete and sign the medical certification
34 within forty-eight (48) hours after taking charge of the case.

35 (f) If the cause of death cannot be determined within forty-eight (48)

1 hours after death, the medical certification shall be completed as provided
2 by regulation. The attending physician or state medical examiner or county
3 coroner shall give the funeral director, or person acting as such, notice of
4 the reason for the delay, and final disposition of the body shall not be made
5 until authorized by the attending physician or state medical examiner or
6 county coroner.

7 (g) When a death is presumed to have occurred within this state but
8 the body cannot be located, a death certificate may be prepared by the state
9 registrar only upon receipt of an order of a court of competent jurisdiction,
10 which shall include the finding of facts required to complete the death
11 certificate. Such a death certificate shall be marked Presumptive and shall
12 show on its face the date of death as determined by the court and the date of
13 registration and shall identify the court and the date of the decree.

14 (h) Upon receipt of autopsy results or other information that would
15 change the information in the cause-of-death section of the death certificate
16 from that originally reported, the certifier shall immediately file a
17 supplemental report of cause of death with the Division of Vital Records in
18 order to amend the record."

19

20 SECTION 26. Arkansas Code 20-18-602 is amended to read as follows:

21 "20-18-602. Delayed registration.

22 (a) When a death occurring in this state has not been registered
23 within the time period as prescribed by § 20-18-601, a certificate may be
24 filed in accordance with regulations of the board. The certificates shall be
25 registered subject to such evidentiary requirements as the board shall by
26 regulation prescribe to substantiate the alleged facts of death.

27 (b) When an applicant does not submit the minimum documentation
28 required by regulation for delayed registration or when the state registrar
29 has cause to question the validity or adequacy of the applicant's sworn
30 statement or the documentary evidence, and if the deficiencies are not
31 corrected, the state registrar shall not register the delayed certificate of
32 death and shall advise the applicant of the reasons for this action, and
33 further advise the applicant of his or her right to appeal to a court of
34 competent jurisdiction.

35 (c) Certificates of death registered one (1) year or more after the

1 date of death shall be marked Delayed and shall show on their face the date
2 of the delayed registration."

3

4 SECTION 27. Arkansas Code 20-18-603 is amended to read as follows:

5 "20-18-603. Registration of termination of pregnancy.

6 (a)(1) Each fetal death where the fetus weighs three hundred fifty
7 (350) grams or more, or if weight is unknown, the fetus completed twenty (20)
8 weeks gestation or more, calculated from the date the last normal menstrual
9 period began to the date of delivery, that occurs in this state shall be
10 reported within five (5) days after delivery to the Division of Vital Records
11 or as otherwise directed by the State Registrar. All induced terminations of
12 pregnancy shall be reported in the manner prescribed in subsection (b) of
13 this section and shall not be reported as fetal deaths.

14 (A) When a dead fetus is delivered in an institution, the
15 person in charge of the institution or his or her designated representative
16 shall prepare and file the fetal death certificate.

17 (B) When a dead fetus is delivered outside an institution,
18 the physician in attendance at or immediately after delivery shall prepare
19 and file the fetal death certificate.

20 (C) When a fetal death required to be reported by this
21 section occurs without medical attendance at or immediately after the
22 delivery, or when inquiry is required by Arkansas Code § 12-12-301, et seq.
23 or § 14-15-301, et seq. or otherwise provided by law, the medical examiner or
24 coroner shall investigate the cause of fetal death and shall prepare and file
25 the report within five (5) days.

26 (D) When a fetal death occurs in a moving conveyance and
27 the fetus is first removed from the conveyance in this state or when a fetus
28 is found in this state and the place of fetal death is unknown, the fetal
29 death shall be reported in this state. The place where the fetus was first
30 removed from the conveyance or the fetus was found shall be considered the
31 place of fetal death.

32 (2) Spontaneous fetal deaths where the fetus has completed less
33 than twenty (20) weeks of gestation and where the fetus weighs less than
34 three hundred fifty (350) grams shall be reported as prescribed in subsection
35 (b) of this section.

1 (b) Each induced termination of pregnancy which occurs in this state,
2 regardless of the length of gestation, shall be reported to the Division of
3 Vital Statistics within five (5) days by the person in charge of the
4 institution in which the induced termination of pregnancy was performed. If
5 the induced termination of pregnancy was performed outside an institution,
6 the attending physician shall prepare and file the report.

7 (c)(1) The reports required under this subsection are statistical
8 reports to be used only for medical and health purposes and shall not be
9 incorporated into the permanent official records of the system of vital
10 statistics. A schedule for the disposition of these reports shall be
11 provided for by regulation.

12 (2) Reports required under this section shall not include the
13 name or other personal identification of the individual having an induced or
14 spontaneous termination of pregnancy."
15

16 SECTION 28. Arkansas Code 20-18-604 is amended to read as follows:
17 "20-18-604. Final disposition of dead body or fetus.

18 (a) The funeral director, or person acting as such, who first assumes
19 custody of a dead body shall obtain authorization for final disposition of
20 the body as provided in the regulations.

21 (b) Prior to final disposition of a dead fetus, irrespective of the
22 duration of pregnancy, the funeral director, the person in charge of the
23 institution, or other person assuming responsibility for final disposition of
24 the fetus shall obtain from the parents authorization for final disposition
25 on a form prescribed by the state registrar.

26 (c) With the consent of the physician or state medical examiner or
27 county coroner, who is to certify the cause of death, a dead body may be
28 moved from the place of death for the purpose of being prepared for final
29 disposition.

30 (d) An authorization for final disposition issued under the law of
31 another state which accompanies a dead body or fetus brought into this state
32 shall be authority for final disposition of the body or fetus in this state.

33 (e) Authorization for disinterment and reinterment shall be required
34 prior to disinterment of a dead body or fetus. The authorization shall be
35 issued by the state registrar to a licensed funeral director, or person

1 acting as such, upon proper application."

2

3 SECTION 29. Arkansas Code 20-7-123(b)(1) is amended to read as
4 follows:

5 "(1) All fees prescribed in the Vital Statistics Act, § 20-18-101 et
6 seq., are as follows:

7 (A) A fee of two dollars and fifty cents (\$2.50) collected by
8 the state registrar for the filing of a delayed certificate of birth;

9 (B) A fee of two dollars and fifty cents (\$2.50) collected by
10 the state registrar for the filing of a delayed certificate of death or
11 marriage;

12 (C) A fee of two dollars (\$2.00) collected by the clerks of the
13 probate courts upon the filing of an adoption decree;

14 (D) A fee of five dollars (\$5.00) collected by the state
15 registrar for issuing a new certificate of birth for a person who has been
16 legitimated, or whose paternity has been determined, or whose name has been
17 changed;

18 (E) A fee of one dollar (\$1.00) collected by the clerks of the
19 county courts upon the application of any person for marriage, which fee is
20 in addition to any other fees;

21 (F) A fee of one dollar (\$1.00) collected by the clerks of the
22 chancery courts upon the filing of each divorce or annulment complaint;

23 (G) A fee of two dollars (\$2.00) collected by the state
24 registrar for the amendment of any record;

25 (H) A fee of five dollars (\$5.00) collected by the state
26 registrar for making and certification of any certificate or record other
27 than a death certificate;

28 (I) A fee of four dollars (\$4.00) collected by the state
29 registrar for the making and certification of a single copy of a death
30 certificate, and a fee of one dollar (\$1.00) collected for the making and
31 certification of each additional copy of a death certificate;

32 (J) A fee of five dollars (\$5.00) collected by the state
33 registrar for an examination and search of the files for any birth, marriage,
34 or divorce record, and a fee of four dollars (\$4.00) for an examination and
35 search of the files for any death record. The fee shall be paid prior to

1 searching the record; and

2 (K) A fee of five dollars (\$5.00) collected by the state
3 registrar for establishing a new certificate of birth under 20-18-406."

4

5 SECTION 30. All provisions of this act of a general and permanent
6 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
7 Code Revision Commission shall incorporate the same in the Code.

8

9 SECTION 31. If any provision of this act or the application thereof to
10 any person or circumstance is held invalid, such invalidity shall not affect
11 other provisions or applications of the act which can be given effect without
12 the invalid provision or application, and to this end the provisions of this
13 act are declared to be severable.

14

15 SECTION 32. All laws and parts of laws in conflict with this act are
16 hereby repealed.

17

/s/Snyder

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As Engrossed: 2/21/95 2/23/95 4/7/95

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