

State of Arkansas  
86th General Assembly  
Regular Session, 2007

# A Bill

SENATE BILL 267

By: Senator Bookout

## For An Act To Be Entitled

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

## Subtitle

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

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

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

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

(2) A fact of death record for each death that occurs in this



state shall be filed with the Division of Vital Records within three (3) calendar days after the death or the finding of a dead body.

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

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

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

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

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

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

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

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

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

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

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

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