~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

April 17, 2013

**H. 3354**

Introduced by Reps. King, Knight, Hart, Howard, J.E. Smith, Cobb‑Hunter, J.H. Neal, Douglas and Powers Norrell

S. Printed 4/17/13--H.

Read the first time January 16, 2013.

**THE COMMITTEE ON MEDICAL,**

**MILITARY, PUBLIC AND MUNICIPAL AFFAIRS**

To whom was referred a Bill (H. 3354) to amend Section 44‑63‑84, Code of Laws of South Carolina, 1976, relating to persons to whom death certificates may be issued, so as to provide that the county, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 44-63-84 of the 1976 Code is amended to read:

“Section 44-63-84. (A)(1) Copies of death certificates may be issued to members of the deceased's family or their respective legal representatives at any vital records office.

(2) Upon request, the Department of Social Services or its designee must be provided with copies or certified copies of death certificates for the purpose of establishing paternity or establishing, modifying, or enforcing a child support obligation.

(3) ~~Others~~ Individuals who demonstrate a direct and tangible interest may be issued copies when information is needed for the determination of a personal or property right.

(4) Other applicants may be provided with a statement that the death occurred, the date, and county of death. (B) ~~However,~~ When fifty years have elapsed after the date of death, these records become public records and must be made available in photographic or other suitable format for public viewing. ~~and~~ At such time, any person may obtain copies upon submission of an application containing sufficient information to locate the record.

(C) For each copy issued or search of the files made, the ~~state~~ registrar of vital statistics, shall collect the same fee as is charged for the issuance of certified copies or a search of the files for other records in his possession, except that the Department of Social Services or its designee may not be charged this fee.

~~When fifty years have elapsed after the date of death, these records must be made available in photographic or other suitable format for public viewing.~~”

SECTION 2. This act takes effect upon approval by the Governor./

Renumber sections to conform.

Amend title to conform.

LEON HOWARD for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

**EXPLANATION OF IMPACT:**

Department of Health & Environmental Control

The department reports that this bill would have no impact on the General Fund of the State or on federal and/or other funds.

*Approved By:*

Brenda Hart

Office of State Budget

**A** **BILL**

TO AMEND SECTION 44‑63‑84, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS TO WHOM DEATH CERTIFICATES MAY BE ISSUED, SO AS TO PROVIDE THAT THE COUNTY REGISTRAR SHALL ISSUE, UPON REQUEST, DEATH CERTIFICATES THAT WERE FILED ELECTRONICALLY; AND TO MAKE TECHNICAL CORRECTIONS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 44‑63‑84 of the 1976 Code is amended to read:

“Section 44‑63‑84. Copies of death certificates may be issued to members of the deceased’s family or their respective legal representatives by the state or county registrar. Members of the deceased’s family or their respective legal representative also may obtain a copy of the electronic death certificate filed pursuant to Section 44‑63‑74 from the county registrar. Upon request, the Department of Social Services or its designee must be provided with copies or certified copies of death certificates for the purpose of establishing paternity or establishing, modifying, or enforcing a child support obligation. Others who demonstrate a direct and tangible interest may be issued copies when information is needed for the determination of a personal or property right. Other applicants may be provided with a statement that the death occurred, the date, and county of death. However, when fifty years have elapsed after the date of death, these records become public records and any person may obtain copies upon submission of an application containing sufficient information to locate the record. For each copy issued or search of the files made, the state registrar shall collect the same fee as is charged for the issuance of certified copies or a search of the files for other records in his possession, except that the Department of Social Services or its designee may not be charged this fee.

When fifty years have elapsed after the date of death, these records must be made available in photographic or other suitable format for public viewing.”

SECTION 2. This act takes effect upon approval by the Governor.

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