

3540--A

2011-2012 Regular Sessions

I N S E N A T E

February 24, 2011

Introduced by Sen. VALESKY -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- committee discharged and said bill committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to the fee charged for the issuance of birth and death records

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Subdivision 3 of section 4173 of the public health law, as
2 amended by chapter 524 of the laws of 2007, is amended to read as
3 follows:
4 3. (A) The registrar shall be entitled to a fee of ten dollars[,
5 except in the county of Chemung and the county of Monroe and the county
6 of Onondaga and the county of Tompkins whereby such fee shall be set by
7 the county health commissioner and in the city of Oswego whereby such
8 fee shall be set by the Oswego common council, up to the amount charged
9 by the commissioner as prescribed in subdivision two of section forty-
10 one hundred seventy-four of this title] for each certification of birth
11 or death or for each certified copy or certified transcript of any
12 record of a birth or of a death or for a certification that a search
13 discloses no record of a birth or of a death, furnished by him to an
14 applicant, except that no fee shall be charged for a search, certifi-
15 cation of birth or death or certified copy or certified transcript of a
16 birth or a death record to be used for school entrance, employment
17 certificate or for purposes of public relief or government compensation
18 or when required by the veterans administration to be used in determin-
19 ing the eligibility of any person to participate in the benefits made
20 available by the veterans administration, provided, however, that if
21 such registrar is a city clerk, town clerk or village clerk, he shall
22 collect such fees for and on behalf of the city, town or village in

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets [] is old law to be omitted.

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1 which he serves, provided, however, that an amount equivalent to the sum
2 of such fees shall be paid at least monthly by such city, town or
3 village to such city clerk, town clerk or village clerk entitled to
4 receive fees as a registrar of vital statistics.

5 (B) NOTWITHSTANDING PARAGRAPH (A) OF THIS SUBDIVISION, IN THE FOLLOW-
6 ING COUNTY JURISDICTIONS THE FEE SHALL BE SET BY THE COUNTY HEALTH
7 COMMISSIONER: CHEMUNG, MONROE, ONONDAGA, TOMPKINS; AND IN THE FOLLOWING
8 LOCAL JURISDICTIONS THE FEE SHALL BE SET BY THE LOCAL LEGISLATIVE BODY:
9 CITY OF OSWEGO, CITY OF ONEIDA. IN SUCH JURISDICTIONS, THE FEE MAY BE
10 SET UP TO THE AMOUNT CHARGED BY THE COMMISSIONER AS PRESCRIBED IN SUBDI-
11 VISION TWO OF SECTION FORTY-ONE HUNDRED SEVENTY-FOUR OF THIS TITLE.

12 S 2. This act shall take effect immediately.