STATE OF NEW YORK

8214

2025-2026 Regular Sessions

IN ASSEMBLY

May 5, 2025

Introduced by M. of A. SAYEGH -- read once and referred to the Committee on Health

AN ACT to amend the public health law and the domestic relations law, in relation to providing for a window of eighteen months for people to receive certain vital records without paying a fee; and providing for the repeal of such provisions upon expiration thereof

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. This act shall be known and may be cited as the "Protect Our Vote Act" or the "POV Act".

§ 2. Subdivision 3 of section 4173 of the public health law, as amended by chapter 288 of the laws of 2020, is amended to read as follows:

3. [~~(a) Except as otherwise provided in paragraph (b) of this subdivision, the registrar shall be entitled to a fee of ten dollars for each certification of birth or death or for each certified copy or certified transcript of any record of a birth or of a death or for a certification that a search discloses no record of a birth or of a death, furnished by him to an applicant, except that no fee shall be charged for a search, certification of birth or death or certified copy or certified transcript of a birth or a death record to be used for school entrance, employment certificate or for purposes of public relief or government compensation or when required by the veterans administration to be used in determining the eligibility of any person to participate in the benefits made available by the veterans administration, provided, however, that if such registrar is a city clerk, town clerk or village clerk, he shall collect such fees for and on behalf of the city, town or village in which he serves, provided, however, that an amount equivalent to the sum of such fees shall be paid at least monthly by such city, town or village to such city clerk, town clerk or village clerk entitled to receive fees as a registrar of vital statistics.~~

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

LBD11790-01-5

~~(b) Notwithstanding paragraph (a) of this subdivision, in the following county jurisdictions the fee shall be set by the county health commissioner: Chemung, Monroe, Onondaga, Tompkins; and in the following local jurisdictions the fee shall be set by the local legislative body: city of Oswego, city of Albany, city of Jamestown. In such jurisdictions, the fee may be set up to the amount charged by the commissioner as prescribed in subdivision two of section forty-one hundred seventy-four of this title.~~] **The registrar shall not be entitled to any fee for any certification of birth or death or for any certified copy or certified transcript of any record of a birth or of a death or for any certification that a search discloses no record of a birth or of a death, furnished by the registrar to an applicant.**

§ 3. Subdivision 2 of section 4174 of the public health law, as amended by section 2 of part W2 of chapter 62 of the laws of 2003, is amended to read as follows:

2. Each applicant for a certification of birth or death, certificate of birth data or for a certified copy or certified transcript of a birth or death certificate or certificate of birth data shall **not be required to** remit to the commissioner with such application [~~a~~] **any** fee [~~of thirty dollars in payment for the search of the files and records and the furnishing of a certification, certified copy or certified transcript if such record is found or for a certification that a search discloses no record of a birth or of a death~~].

§ 4. Subdivisions 6 and 7 of section 4139 of the public health law, as amended by section 1 of part W2 of chapter 62 of the laws of 2003, are amended to read as follows:

6. The commissioner shall **not** be entitled to [~~a~~] **any** fee [~~of thirty dollars~~] for each certification, certified copy or certified transcript of certificate of dissolution of marriage furnished.

7. For a search of the files where no such certification, certified copy, or certified transcript is furnished, or for a certification that a search discloses no record of a dissolution of marriage, the commissioner shall **not** be entitled to [~~a~~] **any** fee [~~of thirty dollars~~].

§ 5. Section 20-a of the domestic relations law, as amended by section 6 of part W2 of chapter 62 of the laws of 2003, is amended to read as follows:

§ 20-a. Certified transcripts of records; state commissioner of health may furnish. The state commissioner of health or person authorized by [~~him~~] **them** shall, upon request, supply to any applicant a certified transcript of any marriage registered under the provisions of this article, unless [~~he is~~] **they are** satisfied that the same does not appear to be necessary or required for judicial or other proper purposes. Any transcript of the record of a marriage, when properly certified by the state commissioner of health or person authorized to act for [~~him~~] **them**, shall be prima facie evidence in all courts and places of the facts therein stated. For any search of the files and records conducted for authorized research purposes, the state commissioner of health shall **not** be entitled to [~~a~~] **any** fee [~~of twenty dollars for each hour or fractional part of an hour of time of search, together with a fee of two dollars~~] for **time spent searching or for** each uncertified copy or abstract of such marriage record requested by the applicant[~~, said fees to be paid by the applicant~~]. [~~Each~~] **No** applicant for a certified transcript of a marriage record shall remit to the state commissioner of health [~~a~~] **any** fee [~~of thirty dollars in payment~~] for the search of the files and records and the furnishing of a certified copy if such record

is found or for a certification that a search discloses no record of a marriage.

§ 6. This act shall take effect on the ninetieth day after it shall have become a law and shall expire and be deemed repealed eighteen months after such effective date.