

3686--A

Cal. No. 278

2009-2010 Regular Sessions

I N A S S E M B L Y

January 28, 2009

Introduced by M. of A. AUBRY, GOTTFRIED, COLTON -- Multi-Sponsored by --
M. of A. PERRY -- read once and referred to the Committee on Health
-- passed by Assembly and delivered to the Senate, recalled from the
Senate, vote reconsidered, bill amended, ordered reprinted, retaining
its place on the order of third reading

AN ACT to amend the public health law, in relation to establishing no
fee shall be charged for certain requests for birth certificates

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

1 Section 1. Subdivision 4 of section 4174 of the public health law, as
2 separately amended by chapters 409 and 698 of the laws of 1978, is
3 amended to read as follows:
4 4. No fee shall be charged for a search, certification, certificate,
5 certified copy or certified transcript of a record to be used for school
6 entrance, employment certificate or for purposes of public relief or
7 when required by the veterans administration to be used in determining
8 the eligibility of any person to participate in the benefits made avail-
9 able by the veterans administration or when required by a board of
10 elections for the purposes of determining voter eligibility OR WHEN
11 REQUESTED BY THE DEPARTMENT OF CORRECTIONAL SERVICES OR A LOCAL CORREC-
12 TIONAL FACILITY AS DEFINED IN SUBDIVISION SIXTEEN OF SECTION TWO OF THE
13 CORRECTION LAW FOR THE PURPOSE OF PROVIDING A CERTIFIED COPY OR CERTI-
14 FIED TRANSCRIPT OF BIRTH TO AN INMATE IN ANTICIPATION OF SUCH INMATE'S
15 RELEASE FROM CUSTODY OR WHEN REQUESTED BY THE OFFICE OF CHILDREN AND
16 FAMILY SERVICES OR AN AUTHORIZED AGENCY FOR THE PURPOSE OF PROVIDING A
17 CERTIFIED COPY OR CERTIFIED TRANSCRIPT OF BIRTH TO A YOUTH PLACED IN THE
18 CUSTODY OF THE LOCAL COMMISSIONER OF SOCIAL SERVICES OR THE CUSTODY OF
19 THE OFFICE OF CHILDREN AND FAMILY SERVICES PURSUANT TO ARTICLE THREE OF
20 THE FAMILY COURT ACT IN ANTICIPATION OF SUCH YOUTH'S DISCHARGE FROM
21 PLACEMENT.

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

LBD04433-02-0

1 S 2. Section 4179 of the public health law, as added by chapter 414 of
2 the laws of 1990, is amended to read as follows:

3 S 4179. Vital records; fees; city of New York. Notwithstanding the
4 provisions of paragraph one of subdivision a of section 207.13 of the
5 health code of the city of New York, the department of health shall
6 charge, and the applicant shall pay, for a search of two consecutive
7 calendar years under one name and the issuance of a certificate of
8 birth, death or termination of pregnancy, or a certification of birth or
9 death, or a certification that the record cannot be found, a fee of
10 fifteen dollars for each copy. PROVIDED, HOWEVER, THAT NO SUCH FEE
11 SHALL BE CHARGED WHEN THE DEPARTMENT OF CORRECTIONAL SERVICES OR A LOCAL
12 CORRECTIONAL FACILITY AS DEFINED IN SUBDIVISION SIXTEEN OF SECTION TWO
13 OF THE CORRECTION LAW REQUESTS A CERTIFICATE OF BIRTH OR CERTIFICATION
14 OF BIRTH FOR THE PURPOSE OF PROVIDING SUCH CERTIFICATE OF BIRTH OR
15 CERTIFICATION OF BIRTH TO AN INMATE IN ANTICIPATION OF SUCH INMATE'S
16 RELEASE FROM CUSTODY OR WHEN THE OFFICE OF CHILDREN AND FAMILY SERVICES
17 OR AN AUTHORIZED AGENCY REQUESTS A CERTIFIED COPY OR CERTIFIED TRAN-
18 SCRIPT OF BIRTH FOR A YOUTH PLACED IN THE CUSTODY OF THE LOCAL COMMIS-
19 SIONER OF SOCIAL SERVICES OR THE CUSTODY OR THE OFFICE OF CHILDREN AND
20 FAMILY SERVICES PURSUANT TO ARTICLE THREE OF THE FAMILY COURT ACT FOR
21 THE PURPOSE OF PROVIDING SUCH CERTIFIED COPY OR CERTIFIED TRANSCRIPT OF
22 BIRTH TO SUCH YOUTH IN ANTICIPATION OF DISCHARGE FROM PLACEMENT.

23 S 3. This act shall take effect on the thirtieth day after it shall
24 have become a law.