

S T A T E   O F   N E W   Y O R K

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5395--A

2009-2010 Regular Sessions

I N   S E N A T E

April 27, 2009

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Introduced by Sens. HASSELL-THOMPSON, DIAZ, KRUEGER, MONTGOMERY -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- recommitted to the Committee on Health in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee and 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 establishing no fee shall be charged for certain requests for birth certificates

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, 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

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

LBD04433-03-0

1 THE FAMILY COURT ACT IN ANTICIPATION OF SUCH YOUTH'S DISCHARGE FROM  
2 PLACEMENT.

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

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

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