S T A T E O F N E W Y O R K

S. 5766--A A. 8423--A

2011-2012 Regular Sessions

S E N A T E - A S S E M B L Y

June 15, 2011

IN SENATE -- Introduced by Sen. FARLEY -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- recommitted to the Committee on Health in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

IN ASSEMBLY -- Introduced by M. of A. AMEDORE -- read once and referred to the Committee on Health -- recommitted to the Committee on Health in accordance with Assembly Rule 3, sec. 2 -- 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:

Section 1. Subdivision 3 of section 4173 of the public health law, as amended by chapter 524 of the laws of 2007, is amended to read as follows:

3. (A) The registrar shall be entitled to a fee of ten dollars[, except in the county of Chemung and the county of Monroe and the county of Onondaga and the county of Tompkins whereby such fee shall be set by the county health commissioner and in the city of Oswego whereby such fee shall be set by the Oswego common council, up to the amount charged by the commissioner as prescribed in subdivision two of section forty-one hundred seventy-four of this title] 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

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

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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.

(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 AMSTERDAM. 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.

S 2. This act shall take effect immediately.