

7853

I N   S E N A T E

May 17, 2016

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Introduced by Sen. GALLIVAN -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to prohibiting charging a fee to obtain a death certificate for an inmate who has died under custody

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 amended by section 32 of part L of chapter 56 of the laws of 2015, 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 corrections and community supervision or  
12 a local correctional facility as defined in subdivision sixteen of  
13 section two of the correction law for the purpose of providing a certi-  
14 fied copy or certified transcript of birth to an inmate in anticipation  
15 of such inmate's release from custody OR FOR THE PURPOSE OF OBTAINING A  
16 DEATH CERTIFICATE FOR AN INMATE WHO HAS DIED UNDER CUSTODY or when  
17 requested by the office of children and family services or an authorized  
18 agency for the purpose of providing a certified copy or certified tran-  
19 script of birth to a youth placed in the care and custody or custody and  
20 guardianship of the local commissioner of social services or the care  
21 and custody or custody and guardianship of the office of children and  
22 family services in anticipation of such youth's discharge from placement  
23 or foster care.  
24     S 2. Section 4179 of the public health law, as amended by section 133  
25 of subpart B of part C of chapter 62 of the laws of 2011, is amended to  
26 read as follows:

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

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1 S 4179. Vital records; fees; city of New York. Notwithstanding the  
2 provisions of paragraph one of subdivision a of section 207.13 of the  
3 health code of the city of New York, the department of health shall  
4 charge, and the applicant shall pay, for a search of two consecutive  
5 calendar years under one name and the issuance of a certificate of  
6 birth, death or termination of pregnancy, or a certification of birth or  
7 death, or a certification that the record cannot be found, a fee of  
8 fifteen dollars for each copy. Provided, however, that no such fee shall  
9 be charged when the department of corrections and community supervision  
10 or a local correctional facility as defined in subdivision sixteen of  
11 section two of the correction law requests a certificate of birth or  
12 certification of birth for the purpose of providing such certificate of  
13 birth or certification of birth to an inmate in anticipation of such  
14 inmate's release from custody OR FOR THE PURPOSE OF OBTAINING A DEATH  
15 CERTIFICATE FOR AN INMATE WHO HAS DIED UNDER CUSTODY or when the office  
16 of children and family services or an authorized agency requests a  
17 certified copy or certified transcript of birth for a youth placed in  
18 the custody of the local commissioner of social services or the custody  
19 of the office of children and family services pursuant to article three  
20 of the family court act for the purpose of providing such certified copy  
21 or certified transcript of birth to such youth in anticipation of  
22 discharge from placement.

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