

7853--A

I N S E N A T E

May 17, 2016

Introduced by Sen. GALLIVAN -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- reported favorably from said committee and committed to the Committee on Finance -- reported favorably from said committee and committed to the Committee on Rules -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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 TO OBTAIN A DEATH CERTIFICATE
16 TO BE USED FOR ADMINISTRATIVE PURPOSES FOR AN INMATE WHO HAS DIED UNDER
17 CUSTODY or when requested by the office of children and family services
18 or an authorized agency for the purpose of providing a certified copy or
19 certified transcript of birth to a youth placed in the care and custody
20 or custody and guardianship of the local commissioner of social services
21 or the care and custody or custody and guardianship of the office of
22 children and family services in anticipation of such youth's discharge
23 from placement or foster care.

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

LBD15335-03-6

1 S 2. Section 4179 of the public health law, as amended by section 133
2 of subpart B of part C of chapter 62 of the laws of 2011, is amended to
3 read as follows:

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

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