

# STATE OF NEW YORK

2772

2021-2022 Regular Sessions

## IN SENATE

January 25, 2021

Introduced by Sen. SEPULVEDA -- 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 certified copy or certified transcript of birth when the department of corrections and community supervision or a local correctional facility requests such for an individual under community supervision

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 chapter 323 of the laws of 2016, is amended to read as  
3 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 an individual under communi-  
16 ty supervision in connection with his or her ongoing supervision in the  
17 community or to obtain a death certificate to be used for administrative  
18 purposes for an inmate who has died under custody or when requested by  
19 the office of children and family services or an authorized agency for  
20 the purpose of providing a certified copy or certified transcript of  
21 birth to a youth placed in the care and custody or custody and guardian-  
22 ship of the local commissioner of social services or the care and custo-

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

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1 dy or custody and guardianship of the office of children and family  
2 services in anticipation of such youth's discharge from placement or  
3 foster care.

4 § 2. Section 4179 of the public health law, as amended by chapter 323  
5 of the laws of 2016, is amended to read as follows:

6 § 4179. Vital records; fees; city of New York. Notwithstanding the  
7 provisions of paragraph one of subdivision a of section 207.13 of the  
8 health code of the city of New York, the department of health shall  
9 charge, and the applicant shall pay, for a search of two consecutive  
10 calendar years under one name and the issuance of a certificate of  
11 birth, death or termination of pregnancy, or a certification of birth or  
12 death, or a certification that the record cannot be found, a fee of  
13 fifteen dollars for each copy. Provided, however, that no such fee shall  
14 be charged when the department of corrections and community supervision  
15 or a local correctional facility as defined in subdivision sixteen of  
16 section two of the correction law requests a certificate of birth or  
17 certification of birth for the purpose of providing such certificate of  
18 birth or certification of birth to an inmate in anticipation of such  
19 inmate's release from custody or to an individual under community super-  
20 vision in connection with his or her ongoing supervision in the communi-  
21 ty or to obtain a death certificate to be used for administrative  
22 purposes for an inmate who has died under custody or when the office of  
23 children and family services or an authorized agency requests a certi-  
24 fied copy or certified transcript of birth for a youth placed in the  
25 custody of the local commissioner of social services or the custody of  
26 the office of children and family services pursuant to article three of  
27 the family court act for the purpose of providing such certified copy or  
28 certified transcript of birth to such youth in anticipation of discharge  
29 from placement.

30 § 3. This act shall take effect immediately.