

1 COMMITTEE SUBSTITUTE

2 FOR

3 **H. B. 2165**

4 (By Delegates Iaquina, Longstreth, Fleischauer,
5 Jones, Stephens and Azinger)

6
7 (Originating in the House Committee on Finance)

8 [February 11, 2014]

9
10 A BILL to amend and reenact §16-5-29 of the Code of West Virginia,
11 1931, as amended, relating to death certificates of military
12 veterans; providing that the State Registrar shall issue up to
13 two certified copies of a death certificate of an eligible
14 veteran at no charge.

15 *Be it enacted by the Legislature of West Virginia:*

16 That §16-5-29 of the Code of West Virginia, 1931, as amended,
17 be amended and reenacted to read as follows:

18 **ARTICLE 5. VITAL STATISTICS.**

19 **§16-5-29. Fees for copies and searches.**

20 (a) The commissioner shall prescribe the fees to be charged
21 and collected by the state Registrar for certified copies of
22 certificates or records, not to exceed \$10 per copy, or for a
23 search of the files or records when no copy is made: *Provided,*
24 That the fee may be increased to a maximum of \$12 per copy, at the

1 discretion of the commissioner, after July 1, 2008.

2 (b) The commissioner may prescribe additional fees for the
3 priority production or express delivery of certified copies.

4 (c) The State Registrar may furnish certified copies of birth
5 and death records to state agencies and to organized charities free
6 of charge when the certificates are needed in presenting claims to
7 the federal government or to a state for public assistance. The
8 State Registrar will keep a record of all certificates furnished
9 pursuant to this subsection.

10 (d) The State Registrar shall furnish at no charge no more
11 than two certified copies of death certificates of an eligible
12 veteran, as defined by section two, article four of chapter nine-a
13 of this code, or active military service member where the request
14 is made by an executor or administrator of the eligible veteran's
15 or active service member's estate within thirty days of the date of
16 death of the eligible veteran or active military service member.

17 ~~(d)~~ (e) Subject to the provisions set forth in section two,
18 article two, chapter twelve of this code, there is hereby continued
19 in the state Treasury a separate account which shall be designated
20 "the vital statistics account."

21 ~~(e)~~ (f) After July 1, 2006, and subject to the provisions set
22 forth in section two, article two, chapter twelve of this code,
23 there is established in the state Treasury a separate account which
24 shall be designated "the vital statistics improvement fund." Funds

1 deposited in this account will be used to modernize and automate
2 the system of vital statistics in this state and may not be used to
3 supplant existing funding necessary for the daily operation of the
4 system of vital statistics. Funds in this account will be retained
5 in a nonlapsing fund for the improvement of the system of vital
6 statistics.

7 ~~(f)~~ (g) The commissioner shall deposit \$1 received under the
8 provisions of this section for each certified copy to the "vital
9 statistics improvement fund" and shall deposit \$4 received under
10 the provisions of this section for each certified copy to the
11 General Revenue Fund account. The commissioner shall deposit the
12 remainder of all fees received under the provisions of this section
13 for certified copies and for priority production and express
14 delivery to the vital statistics account.

15 ~~(g)~~ (h) The commissioner is authorized to expend the moneys
16 deposited in the vital statistics account in accordance with the
17 laws of this state as necessary to implement this article. The
18 Legislature shall appropriate all moneys in the vital statistics
19 account as part of the annual state budget.

20 ~~(h)~~ (i) The commissioner shall make an annual report to the
21 Legislature on the vital statistics account, including the previous
22 fiscal year's expenditures and projected expenditures for the next
23 fiscal year.