

House Study Bill 238 - Introduced

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
GOVERNMENT OVERSIGHT BILL
BY CHAIRPERSON KAUFMANN)

A BILL FOR

1 An Act relating to preparation and issuance of vital statistics
2 certificates.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 144.45, Code 2015, is amended to read as
2 follows:

3 **144.45 Certified copies — other copies.**

4 1. The state registrar and the county registrar shall,
5 upon written request from any applicant entitled to a record,
6 issue a certified copy of any certificate or record in the
7 registrar's custody or of a part of a certificate or record.
8 Each copy issued shall show the date of registration; and
9 copies issued from records marked "delayed", "amended", or
10 "court order" shall be similarly marked and show the effective
11 date.

12 2. A certified copy of a certificate, or any part thereof,
13 shall be considered for all purposes the same as the original
14 and shall be prima facie evidence of the facts therein stated,
15 provided that the evidentiary value of a certificate or record
16 filed more than one year after the event, or a record which
17 has been amended, shall be determined by the judicial or
18 administrative body or official before whom the certificate is
19 offered as evidence.

20 3. The national division of vital statistics may be
21 furnished copies or data which it requires for national
22 statistics, provided that the state be reimbursed for the cost
23 of furnishing data, and provided further that data shall not
24 be used for other than statistical purposes by the national
25 division of vital statistics unless so authorized by the state
26 registrar.

27 4. Federal, state, local, and other public or private
28 agencies may, upon written request, be furnished copies or data
29 for statistical purposes upon terms or conditions prescribed
30 by the department.

31 5. a. No person shall prepare or issue any certificate
32 which purports to be an original, or certified copy, ~~or copy~~ of
33 a certificate of birth, death, fetal death, or marriage except
34 as authorized in this chapter.

35 b. No person, in the person's capacity as an employee or

1 agent of the state or a political subdivision of the state,
2 shall prepare or issue any certificate which purports to be a
3 copy of a certificate of birth, death, fetal death, or marriage
4 except as necessary in the scope of the person's employment or
5 agency or as otherwise authorized in this chapter.

6

EXPLANATION

7

The inclusion of this explanation does not constitute agreement with
8 the explanation's substance by the members of the general assembly.

8

9 This bill relates to the preparation and issuance of vital
10 statistics certificates.

11 Under current law, a person is not allowed to prepare or
12 issue an original, certified copy, or copy of a certificate
13 of birth, death, fetal death, or marriage except as provided
14 in Code chapter 144. The bill maintains these restrictions
15 for originals and certified copies. For other copies, the
16 bill provides that no person, in the person's capacity as an
17 employee or agent of the state, or a political subdivision
18 of the state, shall prepare or issue any certificate which
19 purports to be a copy of such a certificate except as necessary
20 in the scope of the person's employment or agency or as
21 provided in Code chapter 144.