

No. 2009-11

## AN ACT

SB 446

Amending the act of June 29, 1953 (P.L.304, No.66), entitled "An act providing for the administration of a statewide system of vital statistics; prescribing the functions of the State Department of Health, the State Advisory Health Board and local registrars; imposing duties upon coroners, prothonotaries, clerks of orphans' court, physicians, midwives and other persons; requiring reports and certificates for the registration of vital statistics; regulating the disposition of dead bodies; limiting the disclosure of records; prescribing the sufficiency of vital statistics records as evidence; prescribing fees and penalties; and revising and consolidating the laws relating thereto," further providing for registration districts and local registrars' duties, for death and fetal death registrations and for reports.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 303 of the act of June 29, 1953 (P.L.304, No.66), known as the Vital Statistics Law of 1953, amended October 27, 2006 (P.L.1200, No.129), is amended to read:

Section 303. Registration Districts: Local Registrars' Duties.—Local registrars shall perform the duties imposed upon them by this act, under and subject to the supervision of the department. Local registrars shall transmit certificates and transcripts to such places and at such times as shall be prescribed by the department **[and shall transmit, for a person who was at least eighteen (18) years of age at the time of death, a copy of the death certificate to the county board of elections of the county in which the person resided at the time of death]**.

Section 2. Section 501 of the act, amended July 9, 1971 (P.L.213, No.38), is amended to read:

Section 501. Death and Fetal Death Registration: Certificates to be Filed.—A certificate of each death or fetal death which occurs in this Commonwealth shall be filed within ninety-six (96) hours after the death or fetal death or within ninety-six (96) hours after the finding of a dead body or fetal remains. In every instance, the certificate shall be filed prior to the issuance of a permit for interment or other disposition of the dead body or fetal remains. The person in charge of interment or of removal of the dead body or fetal remains from the registration district shall file the certificate with any local registrar *or the State Registrar of Vital Statistics*, who shall be authorized to issue certified copies of such death.

Section 3. Section 504 of the act, amended October 27, 2006 (P.L.1200, No.129), is amended to read:

Section 504. Death and Fetal Death Registration: Permits Concerning Dead Bodies and Fetal Remains.—No person shall dispose of a dead body or fetal remains until a local registrar *or the State Registrar of Vital Statistics*

issues a permit for disposal. The local registrar *or the State Registrar of Vital Statistics* shall be authorized to issue the permit and may issue blank presigned permits to the funeral director only. The funeral director or the person in charge of interment or removal shall, within ninety-six (96) hours after the death or fetal death or within ninety-six (96) hours after the finding of a dead body or fetal remains, file with the local registrar a certificate of death or fetal death.

The sexton or other person in charge of any premises in which bodies are interred or cremated shall not allow the interment or cremation of any dead body or fetal remains unless a permit issued under this section is presented to the sexton. The sexton or other person in charge of the premises shall endorse upon each permit presented to the sexton or other person the date of interment or cremation, over the sexton's or other person's signature, and shall return the permit so endorsed to the local registrar of the sexton's or other person's district *or the State Registrar of Vital Statistics* within ten days from the date of interment or cremation.

Section 4. Section 801.1 of the act, amended November 23, 2004 (P.L.909, No.122), is amended to read:

Section 801.1. Records: Reports to County Registration Commissions.—**[The department shall report monthly in writing to the registration commission of each county the deaths of residents of such counties, except residents less than eighteen years of age, for the preceding month. Said report shall contain the full name of the decedent, his or her last address, the date of his or her birth if available, and the date of his or her death.]** *The department shall transmit monthly to the Department of State an electronic file containing information on all resident deaths, except residents less than eighteen (18) years of age, for the preceding month. The electronic file shall include the full name of the decedent, gender, last address, the date of birth if available, county of residence, the date of death, county of death, State file number and the last four digits of the decedent's Social Security number. The Department of State shall enter this information into the "SURE system" as defined in 25 Pa.C.S. § 1102 (relating to definitions), or a similar successor system, which shall be used by the county boards of election for the purpose of removing deceased individuals from their voter registration rolls.*

Section 5. This act shall take effect in 60 days.

APPROVED—The 2nd day of July, A.D. 2009.

EDWARD G. RENDELL