

SECOND REGULAR SESSION

# HOUSE BILL NO. 1505

## 93RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES BROWN (50) (Sponsor), HAYWOOD, LOWE (44), OXFORD, CURLS, HUGHES, JOLLY, MOORE, DOUGHERTY, KRATKY, KUESSNER, DARROUGH, AULL, BOWMAN, BLAND AND SWINGER (Co-sponsors).

Read 1st time January 24, 2006 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

4419L.01I

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### AN ACT

To repeal section 193.265, RSMo, and to enact in lieu thereof two new sections relating to recording fees.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 193.265, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 59.318 and 193.265, to read as follows:

**59.318. An additional fee of one dollar shall be charged and collected by the recorder of deeds for any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, over and above any other fees required by law, as a condition precedent to the recording of any instruments specified in subdivisions (3) and (5) of section 59.330. The fees collected from the additional one-dollar per recorded instrument shall be forwarded monthly by the recorder of deeds to the county treasurer, and the fees so forwarded shall be deposited by the county treasurer into the housing resource commission fund to assist homeless families and provide financial assistance to organizations addressing homelessness in the county.**

193.265. 1. For the issuance of a certification or copy of a death record, the applicant shall pay a fee of thirteen dollars for the first certification or copy and a fee of ten dollars for each additional copy ordered at that time. For the issuance of a certification or copy of a birth, marriage, divorce, or fetal death record, the applicant shall pay a fee of fifteen dollars. All fees

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

5 shall be deposited to the state department of revenue. Beginning August 28, 2004, for each vital  
6 records fee collected, the director of revenue shall credit four dollars to the general revenue fund,  
7 five dollars to the children's trust fund, one dollar shall be [credited to the endowed care  
8 cemetery audit fund] **transferred to the division of professional registration**, and three dollars  
9 for the first copy of death records and five dollars for birth, marriage, divorce, and fetal death  
10 records shall be credited to the Missouri public services health fund established in section  
11 192.900, RSMo. [Money in the endowed care cemetery audit fund shall be available by  
12 appropriation] **Moneys transferred** to the division of professional registration **shall be used by**  
13 **the division** to pay its expenses in administering sections 214.270 to 214.410, RSMo. [All  
14 interest earned on money deposited in the endowed care cemetery audit fund shall be credited  
15 to the endowed care cemetery fund. Notwithstanding the provisions of section 33.080, RSMo,  
16 to the contrary, money placed in the endowed care cemetery audit fund shall not be transferred  
17 and placed to the credit of general revenue until the amount in the fund at the end of the  
18 biennium exceeds three times the amount of the appropriation from the endowed care cemetery  
19 audit fund for the preceding fiscal year.] The money deposited in the public health services fund  
20 under this section shall be deposited in a separate account in the fund, and moneys in such  
21 account, upon appropriation, shall be used to automate and improve the state vital records  
22 system, and develop and maintain an electronic birth and death registration system which shall  
23 be implemented no later than December 31, 2009. For any search of the files and records, when  
24 no record is found, the state shall be entitled to a fee equal to the amount for a certification of  
25 a vital record for a five-year search to be paid by the applicant. For the processing of each  
26 legitimation, adoption, court order or recording after the registrant's twelfth birthday, the state  
27 shall be entitled to a fee equal to the amount for a certification of a vital record. Except  
28 whenever a certified copy or copies of a vital record is required to perfect any claim of any  
29 person on relief, or any dependent of any person who was on relief for any claim upon the  
30 government of the state or United States, the state registrar shall, upon request, furnish a certified  
31 copy or so many certified copies as are necessary, without any fee or compensation therefor.

32 2. For the issuance of a certification of a death record by the local registrar, the applicant  
33 shall pay a fee of thirteen dollars for the first certification or copy and a fee of ten dollars for each  
34 additional copy ordered at that time. For the issuance of a certification or copy of a birth,  
35 marriage, divorce, or fetal death record, the applicant shall pay a fee of fifteen dollars; **except**  
36 **that, in any county with a charter form of government and with more than six hundred**  
37 **thousand but fewer than seven hundred thousand inhabitants, an additional fee of one**  
38 **dollar shall be charged and collected by the local registrar over and above any other fees**  
39 **required by law as a condition precedent to providing a certification or copy of any**  
40 **marriage license or birth certificate, with such additional fee collected from the additional**

41 **one-dollar per such certification or copy to be forwarded monthly by the local registrar to**  
42 **the county treasurer of such county and the fees so forwarded to be deposited by the**  
43 **county treasurer into the housing resource commission fund to assist homeless families and**  
44 **provide financial assistance to organizations addressing homelessness in such county. All**  
45 **fees, other than the additional fee imposed for any county with a charter form of**  
46 **government and with more than six hundred thousand but fewer than seven hundred**  
47 **thousand inhabitants for marriage licenses and birth certificates,** shall be deposited to the  
48 official city or county health agency. A certified copy of a death record by the local registrar can  
49 only be issued within twenty-four hours of receipt of the record by the local registrar.  
50 Computer-generated certifications of death records may be issued by the local registrar after  
51 twenty-four hours of receipt of the records. The fees paid to the official county health agency  
52 shall be retained by the local agency for local public health purposes.

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