



Stays

DOA:.....Jablonsky - Vital records

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

do not go

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau
HEALTH AND HUMAN SERVICES
OTHER HEALTH AND HUMAN SERVICES

Under current law relating to vital statistics, the state registrar or local registrars (the county registers of deeds or city registrars) may publish in a public index information from a birth certificate that is not changed or impounded concerning the name, sex, date and place of birth, and parents' names for a person born of a mother who was unmarried for the period from conception to birth. This bill limits the information that may be filed in public use indexes of certificates of birth, death, and divorce, or annulment, or marriage documents that are published by the state registrar or local registrars to the registrant's full name, date of the event, county of occurrence, county of residence and, at the discretion of the state or local registrar, the file number. Further, under the bill, for births that occur after September 30, 1907, certificate of birth index information may be copied or reproduced for the public only if 100 years have elapsed since the birth. Indexes of certificates of death or of divorce or annulment may be copied or reproduced for the public after 24 months from the year in which the event occurred, but certain information on the certificate of death itself may not be inspected by or disclosed to anyone for 50 years after the date of death, except to a person who has a direct and tangible interest in the death, such as a member of the decedent's immediate family or the decedent's legal custodian or guardian.

Current law specifies procedures by which the state registrar may, without a court order, change incorrect information or insert omitted information on a vital record or must, under a court order, make those changes. Current law also requires that a certificate of birth for every birth in this state be filed in the registration district in which the birth occurs, within five days after the birth. The bill specifies procedures for the state or a local registrar to follow in recording changed information on a vital record and specifies special procedures for the state registrar to follow, under a court order, in correcting facts misrepresented by an informant for a certificate of birth. The bill prohibits the state registrar from making changes on a birth certificate, without a court order, to add or delete the name of a parent or change the identity of a parent. The bill requires that the state registrar, rather than the local registrar, register births and make a copy available in the registration districts in which the birth occurred and in which the mother resided at the time of the birth.

Currently, a funeral director, a member of a decedent's immediate family, or a person authorized to dispose of unclaimed corpses or anatomically to study donated bodies who moves a corpse must, within 24 hours after the death, file certain information on a death certificate. The funeral director, family member, or person must forward the certificate to the decedent's attending physician or, for certain deaths (for example, homicides), to a coroner or medical examiner, for completion of a separate medical certification section on the death certificate. The person signing the medical certification must describe, in detail, the cause of death and must mail the death certificate within five days to the funeral director, family member, or person who is responsible for filing the death certificate. The bill requires that, beginning January 1, 2003, a certificate of death consist of three parts that contain:

- 1) Fact-of-death information (the name and other identifiers of the decedent, including the decedent's social security number; the date, time, and place that the decedent was pronounced dead; the manner of the death; the identity of the person certifying the death; and the dates of certification and filing of the death certificate).
- 2) Extended fact-of-death information (all the previous information, plus information on final disposition and cause of death, and injury-related data).
- 3) Statistical-only information (all other information that is collected on the standard death record form recommended by the federal agency responsible for national vital statistics and other data, as directed by the state registrar, including race, educational background, and health risk behavior).

In addition, the bill clarifies what items on the certificate of death must be completed by persons who are required to complete medical certifications.

Under current law, the state or a local registrar must collect specified fees for issuing various documents, including a certified copy of a vital record, an additional certified copy of the same vital record, and uncertified copies of vital records, for searching vital records, and for making alterations ordered by a court. The bill increases the amounts that the state registrar or a local registrar may charge as fees for issuing ~~one~~ ^{an additional} certified copy of a vital record, ~~additional certified copies, and~~ ~~uncertified copies, for completing certain birth certificate information, for verifying information, and for searching vital records.~~ The bill authorizes charging for

administratively and as

issuing additional copies of uncertified vital records and for

The bill

that is administrative,

expedited service in issuing a vital record and clarifies that fees must be charged for making any change that is court ordered or that is a rescission of a statement acknowledging paternity and that a reasonable fee may be charged for providing searches of vital records and copies of vital records to state agencies for program use.

Under current law, after persons apply for a marriage license, a county clerk who receives the sworn statement of either of the applicants must correct erroneous, false, or insufficient statements in the marriage license or in the application and must show the corrected statement to the other applicant. Under the bill, a county clerk who is notified in writing by a marriage applicant that information provided for the license is erroneous must notify the other applicant as soon as reasonably possible and, if the marriage license has not been issued, prepare a new license with the correct information entered; if the marriage license has been issued, the clerk must immediately send a letter of correction to the state registrar. Also, under the bill, if the clerk discovers that correct information has been entered erroneously on the marriage license, he or she must prepare a new license if the marriage license has not been issued, or must immediately send a letter of correction to the state registrar to amend the erroneous information if the marriage license has been issued.

The bill also provides

that result from the paternity action

Under current law, the marriage document must contain the social security number of each party, as well as any other informational items that DHFS determines are necessary. The bill requires that the marriage document consist of the marriage license and the marriage license worksheet, and that the latter contain the social security number and other information items that DHFS determines are necessary. Further, the marriage license worksheet must agree in the main with the standard form recommended by the federal agency responsible for national vital statistics; the county clerk must transmit the marriage license worksheet to the state registrar within five days after the date of issuance of the marriage license.

Necessary changes to

Currently, following a paternity action in which a court determines that a man is not the father of a child, the court must notify the state registrar to report the man's name as the child's father from the child's birth certificate. This bill authorizes the county child support agency also to so notify the state registrar.

Currently, the definition of "vital records" means certificates of birth, death, and divorce or annulment, marriage documents, and related data. The bill expands the definition of "vital records" to include worksheets or electronic transmissions that use forms of electronic file formats that are approved by the state registrar and are related to birth, death, or divorce or annulment certificates or marriage documents.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 SECTION 1. 46.03 (34) of the statutes is amended to read:

1 46.03 (34) FETAL ALCOHOL SYNDROME AND DRUG DANGER PAMPHLETS. The
2 department shall acquire, without cost if possible, pamphlets that describe the
3 causes and effects of fetal alcohol syndrome and the dangers to a fetus of the mother's
4 use of cocaine or other drugs during pregnancy and shall distribute the pamphlets
5 free of charge to each county clerk in sufficient quantities so that each county clerk
6 may provide pamphlets to marriage license applicants under s. 765.12 (1) (a).

7 **SECTION 2.** 69.01 (6g) of the statutes is created to read:

8 69.01 (6g) "Date of death" means the date that a person is pronounced dead by
9 a physician, coroner, deputy coroner, medical examiner, or deputy medical examiner.

10 **SECTION 3.** 69.01 (16m) of the statutes is created to read:

11 69.01 (16m) "Medical certification" means those portions of a death certificate
12 that provide the cause of death, the manner of death, injury-related data, and any
13 other medically-related data that is collected as prescribed by the state registrar
14 under s. 69.18 (1m) (c) 2.

15 **SECTION 4.** 69.01 (22) of the statutes is amended to read:

16 69.01 (22) "Research" means a systematic study through scientific inquiry for
17 the purpose of expanding a field of knowledge, including ~~but not limited to~~
18 environmental or epidemiological research or special studies, that is conducted by
19 persons who meet criteria for access that are specified in rules promulgated under
20 s. 69.20 (4).

21 **SECTION 5.** 69.01 (26) of the statutes is renumbered 69.01 (26) (intro.) and
22 amended to read:

23 69.01 (26) (intro.) "Vital records" means certificates any of the following:

24 (a) Certificates of birth, death, and divorce or annulment, and marriage
25 documents and data.

1 (c) Data related thereto to documents under par. (a) or worksheets or electronic
2 transmissions under par. (b).

3 **SECTION 6.** 69.01 (26) (b) of the statutes is created to read:

4 69.01 **(26)** (b) Worksheets or electronic transmissions that use forms or
5 electronic file formats that are approved by the state registrar and are related to
6 documents under par. (a).

7 **SECTION 7.** 69.03 (5) of the statutes is amended to read:

8 69.03 **(5)** Under this subchapter, accept for registration, assign a date of
9 acceptance, and index and preserve original certificates of birth and death, original
10 marriage documents and original divorce reports. Indexes prepared for public use
11 under s. 69.20 (3) (e) shall consist of the registrant's full name, date of the event,
12 county of occurrence, county of residence, and, at the discretion of the state registrar,
13 state file number. Notwithstanding s. 69.24 (1) (e), the state registrar may transfer
14 the paper original of a vital record to optical disc or electronic format in accordance
15 with s. 16.61 (5) or to microfilm reproduction in accordance with s. 16.61 (6) and
16 destroy the paper original of any vital record that is so converted. For the purposes
17 of this subchapter, the electronic format version or microfilm reproduction version
18 of the paper original of a vital record that has been transferred under this subsection
19 shall serve as the original vital record.

20 **SECTION 8.** 69.06 (2) of the statutes is amended to read:

21 69.06 **(2)** Make, file, and index an exact copy of every certificate accepted under
22 sub. (1). Indexes prepared for public use under s. 69.20 (3) (c) shall consist of the
23 registrant's full name, date of the event, county of occurrence, county of residence,
24 and, at the discretion of the issuing registrar, local file number.

25 **SECTION 9.** 69.07 (2) of the statutes is amended to read:

1 69.07 (2) Make, file, and index an exact copy of every vital record accepted
2 under sub. (1) or received under s. 69.05 (3). Indexes prepared for public use under
3 s. 69.20 (3) (e) shall consist of the registrant's full name, date of the event, county of
4 occurrence, county of residence, and, at the discretion of the issuing registrar, local
5 file number.

6 **SECTION 10.** 69.08 of the statutes is renumbered 69.08 (1), and 69.08 (1) (a), as
7 renumbered, is amended to read:

8 69.08 (1) (a) Is on a form prescribed or supplied for the record by the state
9 registrar.

10 **SECTION 11.** 69.08 (2m) of the statutes is created to read:

11 69.08 (2m) Subsection (1) does not prohibit electronic filing of a vital record
12 under the system of vital statistics.

13 **SECTION 12.** 69.11 (3) (b) 2. of the statutes is amended to read:

14 69.11 (3) (b) 2. Cause of death, if the vital record is a death certificate and if the
15 amendment is accompanied by a statement ~~which~~ that the person who signed the
16 medical certificate ~~part of the death certificate under s. 69.18 (2) certification~~ has
17 submitted to support the amendment.

18 **SECTION 13.** 69.11 (3) (b) 3. of the statutes is repealed.

19 **SECTION 14.** 69.11 (4) (b) of the statutes is amended to read:

20 69.11 (4) (b) ~~If 365 days have elapsed since the occurrence of the event which~~
21 ~~is the subject of a birth certificate, the~~ The state registrar may amend an item on the
22 a birth certificate which that affects information about the name, sex, date of birth,
23 place of birth, ~~parents' surnames~~ parent's name, or marital status of the mother ~~on~~
24 ~~a birth certificate~~ if 365 days have elapsed since the occurrence of the event that is
25 the subject of the birth certificate, if the amendment is at the request of a person with

1 a direct and tangible interest in the record and is on a request form supplied by the
2 state registrar, and if the amendment is accompanied by 2 items of documentary
3 evidence from early childhood that are sufficient to prove that the item to be changed
4 is in error and by the affidavit of the person requesting the amendment. A change
5 in the marital status on the birth certificate may be made under this paragraph only
6 if the marital status is inconsistent with information concerning the father or
7 husband that appears on the birth certificate. This paragraph may not be used to
8 add to or delete from a birth certificate the name of a parent or to change the identity
9 of a parent named on the birth certificate.

10 **SECTION 15.** 69.11 (5) (a) 2. of the statutes is repealed and recreated to read:

11 69.11 (5) (a) 2. If the amendment changes the information on the vital record,
12 do all of the following:

13 a. Record the correct information in the relevant area of the vital record.

14 b. Maintain legibility of the changed information by placing a single line
15 through the changed entry, by recording the changed information elsewhere on the
16 legal portion of the vital record, or both.

17 c. Make a notation on the vital record that clearly states that the vital record
18 has been amended and that gives the number of the item corrected, the date of the
19 correction, and the source of the amending information.

20 d. Initial the amendment notation specified in subd. 2. c.

21 **SECTION 16.** 69.12 (5) of the statutes is created to read:

22 69.12 (5) A change in the marital status on the certificate of birth may be
23 requested under this section only if the marital status is inconsistent with father or
24 husband information appearing on the certificate of birth. This section may not be

1 used to add or delete the name of a parent on the certificate of birth or change the
2 identity of either parent named on the certificate of birth.

3 **SECTION 17.** 69.13 of the statutes is created to read:

4 **69.13 Correction of facts misrepresented by informant for certificate**
5 **of birth.** The state registrar may, under an order issued by the circuit court of the
6 county in which a birth occurred, correct information about the parent or the marital
7 status of the mother on a certificate of birth that is registered in this state if all of
8 the following conditions apply:

9 (1) The correction may not be accomplished under s. 69.11, 69.12, or 69.15
10 because the disputed information was misrepresented by the informant during the
11 preparation of the birth certificate.

12 (2) The state registrar receives, on a form prescribed by the state registrar, a
13 court order that is accompanied by all of the following:

14 (a) A petition for correction filed by a person with a direct and tangible interest
15 in the certificate of birth.

16 (b) Certification that all of the following supporting evidence, as listed by the
17 court in the order, was presented in addition to oral testimony:

- 18 1. A certified copy of the original certificate of birth.
- 19 2. If the birth occurred in a hospital, a copy of the birth worksheet and any other
20 supporting documentation from the hospital.
- 21 3. If the birth did not occur in a hospital, a statement from the birth attendant.
- 22 4. If relevant to the correction sought, a certified copy of a marriage document,
23 a certified copy of a certificate of divorce or annulment or a final divorce decree that
24 indicates that the mother was not married to the person listed as her husband at any

1 time during the pregnancy, a legal name change order, or any other legal document
2 that clarifies the disputed information.

3 5. A statement signed by the certificate of birth informant or the petitioner
4 acknowledging that the disputed information was misrepresented.

5 (c) The supporting evidence specified in par. (b) 1. to 5.

6 (d) The fee specified under s. 69.22 (5) (b) 1.

7 **SECTION 18.** 69.14 (1) (a) 1. of the statutes is amended to read:

8 69.14 (1) (a) 1. Except as provided under subd. 2., a certificate of birth for every
9 birth ~~which~~ that occurs in this state shall be filed ~~in the registration district in which~~
10 ~~the birth occurs~~ within 5 days after the birth and shall be registered with the state
11 registrar, who shall register the birth under this subchapter and shall make a copy
12 of the certificate of birth available to the registration district in which the birth
13 occurred and the registration district in which the mother of the registrant resided
14 at the time of the birth.

15 **SECTION 19.** 69.15 (1) (b) of the statutes is amended to read:

16 69.15 (1) (b) A clerk of court or, for a paternity action, a clerk of court or county
17 child support agency under s. 59.53 (5), sends the state registrar a certified report
18 of an order of a court in this state on a form supplied by the state registrar or, in the
19 case of any other order, the state registrar receives a certified copy of the order and
20 the proper fee under s. 69.22.

21 **SECTION 20.** 69.17 of the statutes is amended to read:

22 **69.17 Divorce report.** At the end of every biweekly period, the clerk of any
23 court which conducts divorce proceedings under ch. 767 shall forward to the state
24 registrar, on a form supplied by the state registrar or in an electronic format that is
25 approved by the state registrar, a report of every divorce or annulment of marriage

1 granted during the biweekly period. The form supplied by the state registrar shall
2 require that the social security numbers of the parties to the divorce or annulment
3 and the social security number of any child of the parties be provided.

4 **SECTION 21.** 69.18 (1) (bm) (intro.) of the statutes is amended to read:

5 69.18 (1) (bm) (intro.) A person required to file a certificate of death under par.
6 (b) shall obtain the information required for the certificate of death from the next of
7 kin or the best qualified person or source available. The person filing the certificate
8 of death shall enter his or her signature on the certificate and include his or her
9 address and the date of signing and shall present or mail the certificate, within 24
10 hours after being notified of the death, to the physician, coroner or medical examiner
11 responsible for completing and signing the medical certification ~~under sub. (2).~~
12 Within 2 days after receipt of the medical certification ~~under sub. (2)~~, the person
13 filing the certificate of death shall mail or present the certificate of death in:

14 **SECTION 22.** 69.18 (1) (c) of the statutes is amended to read:

15 69.18 (1) (c) A hospital ~~or~~, a nursing home, as defined in s. 50.01 (3), or a hospice,
16 as defined in s. 50.90 (1), which is the place of death of a person may prepare a
17 certificate of death for the person and give the certificate to the person who moves
18 the corpse under par. (a).

19 **SECTION 23.** 69.18 (1) (d) of the statutes is amended to read:

20 69.18 (1) (d) A hospital ~~or~~, nursing home, or hospice, as defined in s. 50.90 (1)
21 (c), may not release a corpse to any person under par. (a) unless the person presents
22 a notice of removal on a form prescribed by the state registrar, in duplicate, to the
23 administrator of the hospital ~~or~~, nursing home, or hospice. The administrator shall
24 retain one copy and forward the other copy to the local registrar of the registration
25 district in which the hospital ~~or~~, nursing home, or hospice is located or shall transmit

1 the data electronically in a manner and format that is prescribed by the state
2 registrar.

3 **SECTION 24.** 69.18 (1m) of the statutes is created to read:

4 **69.18 (1m) FORMAT.** Beginning on January 1, 2003, a certificate of death shall
5 consist of the following parts:

6 (a) Fact-of-death information, which shall include all of the following:

7 1. The name and other identifiers of the decedent, including the decedent's
8 social security number, if any.

9 2. The date, time, and place that the decedent was pronounced dead.

10 3. The manner of the decedent's death.

11 4. The identity of the person certifying the death.

12 5. The dates of certification and filing of the certificate of death.

13 (b) Extended fact-of-death information, which includes all of the following:

14 1. All information under par. (a).

15 2. Information on final disposition and cause of death.

16 3. Injury-related data.

17 (c) Statistical-use-only information, which includes all of the following:

18 1. All information other than that under par. (b) that is collected on the
19 standard death record form recommended by the federal agency responsible for
20 national vital statistics.

21 2. Other data, as directed by the state registrar, including race, educational
22 background, and health risk behavior.

23 **SECTION 25.** 69.18 (2) (a) of the statutes is amended to read:

1 69.18 (2) (a) On the form for a certificate of death prescribed by the state
2 registrar under sub. (1) (b), the state registrar shall provide for a ~~separate~~ medical
3 certification ~~section~~ to be completed under this subsection.

4 **SECTION 26.** 69.18 (2) (d) 1. of the statutes is amended to read:

5 69.18 (2) (d) 1. Except as provided under par. (e), if a death is the subject of a
6 coroner's or medical examiner's determination under s. 979.01 or 979.03, the coroner
7 or medical examiner or a physician supervised by a coroner or medical examiner in
8 the county where the event which caused the death occurred shall complete and sign
9 the medical certification ~~part of the death certificate~~ for the death and mail the death
10 certificate within 5 days after the pronouncement of death or present the certificate
11 to the person responsible for filing the death certificate under sub. (1) within 6 days
12 after the pronouncement of death.

13 **SECTION 27.** 69.18 (2) (d) 2. of the statutes is amended to read:

14 69.18 (2) (d) 2. Except as provided under par. (e), if the decedent was not under
15 the care of a physician for the illness or condition from which the person died, the
16 coroner or medical examiner, or a physician supervised by a coroner or medical
17 examiner, in the county of the place of death shall complete and sign the medical
18 certification ~~part of the death certificate~~ for the death and mail the death certificate
19 within 5 days after the pronouncement of death or present the certificate to the
20 person responsible for filing the death certificate under sub. (1) within 6 days after
21 the pronouncement of death.

22 **SECTION 28.** 69.18 (3) (a) of the statutes is amended to read:

23 69.18 (3) (a) Except as provided under par. (c) or (e), the person who has moved
24 a corpse under sub. (1) (a) shall complete a report for final disposition, on a form
25 supplied by the state registrar, and, within 24 hours after being notified of the death,

1 mail or present a copy of the report or transmit the data electronically in a manner
2 and format prescribed by the state registrar to the coroner or medical examiner in
3 the county of the place of death and mail or present a copy or transmit the data
4 electronically in a manner and format prescribed by the state registrar to the local
5 registrar in the registration district of the place of death. If the cause of death is
6 subject to an investigation under s. 979.01 or 979.03, the report for final disposition
7 shall be submitted to the coroner or medical examiner in the county in which the
8 event which caused the death occurred.

9 **SECTION 29.** 69.20 (2) (a) of the statutes is renumbered 69.20 (2) (a) (intro.) and
10 amended to read:

11 69.20 (2) (a) (intro.) Except as provided under sub. (3), information in the part
12 of a ~~birth certificate, of birth or divorce or annulment or a marriage document or~~
13 ~~divorce report that is~~ designated on the form as being collected for statistical or
14 medical and statistical use only and information in the part of a death certificate that
15 is designated on the form as being collected as statistical-use-only information
16 under s. 69.18 (1m) (c) may not be disclosed to any person except the subject
17 following:

18 1. The subject of the information, or, if the subject is a minor, ~~to~~ his or her parent
19 or guardian.

20 **SECTION 30.** 69.20 (2) (a) 2. of the statutes is created to read:

21 69.20 (2) (a) 2. For a certificate of death, any of the persons specified under s.
22 69.18 (4) (a) 1. to 6. or an individual who is authorized in writing by one of the persons.

23 **SECTION 31.** 69.20 (2) (c) of the statutes is created to read:

24 69.20 (2) (c) Except as provided under sub. (3), until 50 years after a decedent's
25 date of death, the state registrar and a local registrar may not permit inspection of

1 or disclose information contained in the portion under s. 69.18 (1m) (b) of the
2 certificate of death to anyone except to a person specified under s. 69.20 (1), or to a
3 direct descendent of the decedent.

4 **SECTION 32.** 69.20 (3) (e) of the statutes is repealed and recreated to read:

5 69.20 (3) (e) Public use indexes of certificates of birth, death, or divorce or
6 annulment, or marriage documents that are filed in the system of vital statistics at
7 the state or local level are accessible only by inspection at the office of the state
8 registrar or of a local registrar and may not be copied or reproduced except as follows:

9 1. a. Certificate of birth index information may be copied or reproduced for the
10 public only after 100 years have elapsed from the year in which the birth occurred.
11 No information in the index that has been impounded under s. 69.15 may be released.

12 b. Subdivision 1. a. does not apply to certificate of birth indexes of events that
13 occurred before October 1, 1907.

14 2. Indexes of certificates of death or divorce or annulment may be copied or
15 reproduced for the public after 24 months have elapsed from the year in which the
16 event occurred.

17 3. Beginning January 1, 2003, any information that is obtained from an index
18 under subd. 1. or 2. and that is released shall contain the following statement: "This
19 information is not a legal vital record index. Inclusion of any information does not
20 constitute legal verification of the fact of the event." *ae*

21 **SECTION 33.** 69.20 (4) of the statutes is amended to read:

22 69.20 (4) The Under procedures that are promulgated by rule, the state
23 registrar and every local registrar shall protect vital records from mutilation,
24 alteration ~~or~~, theft, or fraudulent use and shall protect the privacy rights of
25 registrants and their families by strictly controlling direct access to any vital record

1 filed or registered in paper or electronic form through procedures promulgated by
2 rule.

3 **SECTION 34.** 69.21 (1) (a) 2. b. of the statutes is amended to read:

4 69.21 (1) (a) 2. b. Any information of the part of a ~~birth~~ certificate, of birth,
5 death, or divorce or annulment or a marriage document or divorce report, the
6 disclosure of which is limited under s. 69.20 (2) (a) and (c), unless the requester is the
7 subject of the information or, for a decedent, unless the requester is specified in s.
8 69.20 (2) (a) 2.

9 **SECTION 35.** 69.21 (1) (b) 4. of the statutes is amended to read:

10 69.21 (1) (b) 4. ~~Any~~ A copy of a death certificate issued under par. (a) for a death
11 that occurred before January 1, 2003, shall include, ~~without limitation due to~~
12 ~~enumeration,~~ the name, sex, date and place of death, age or birth date, cause and
13 manner of death, and social security number, if any, of the decedent, and the file
14 number and the file date of the certificate, except that a requester may, upon request,
15 obtain a copy that does not include the cause of death.

16 **SECTION 36.** 69.21 (1) (b) 5. of the statutes is created to read:

17 69.21 (1) (b) 5. A copy of a death certificate issued under par. (a) for a death that
18 occurs after December 31, 2002, shall be on a form that contains only fact-of-death
19 information specified in s. 69.18 (1m) (a), except that a requester may, upon request,
20 obtain a form that contains extended fact-of-death information specified in s. 69.18
21 (1m) (b).

22 **SECTION 37.** 69.22 (1) (intro.) of the statutes is amended to read:

23 69.22 (1) (intro.) The Except as provided in sub. (6), the state registrar and any
24 local registrar acting under this subchapter shall collect the following fees:

25 **SECTION 38.** 69.22 (1) (a) of the statutes is amended to read:

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1 69.22 (1) (a) Except as provided under par. (c), ~~\$7~~ for issuing one certified
2 copy of a vital record and ~~\$2~~ \$3 for any additional certified copy of the same vital
3 record issued at the same time.

and \$3 for any additional
uncertified copy of the
same vital
record issued
at the same
time

4 SECTION 39. 69.22 (1) (b) of the statutes is amended to read:

5 69.22 (1) (b) Except as provided under par. (c), ~~\$7~~ for any uncertified copy
6 of a vital record issued under s. 69.21 (2) (a) or (b) or for verifying information
7 submitted by a requester without issuance of a copy.

8 SECTION 40. 69.22 (1) (c) of the statutes is amended to read:

9 69.22 (1) (c) ~~Twelve Fifteen~~ dollars for issuing a copy of a birth certificate, \$7
10 of which shall be forwarded to the state treasurer as provided in sub. (1m) and
11 credited to the appropriations under s. 20.433 (1) (g) and (h).

12 SECTION 41. 69.22 (1) (d) of the statutes is created to read:

13 69.22 (1) (d) In addition to other fees under this subchapter, ~~\$5~~ \$10 for expedited
14 service in issuing a vital record.

15 SECTION 42. 69.22 (2) of the statutes is amended to read:

16 69.22 (2) The state registrar and any local registrar may charge ~~\$7~~ \$10 for a
17 search of vital records if the registrar finds no record. In addition to the ~~\$7~~ \$10, a
18 registrar may charge a fee to cover the costs of a search of vital records if the
19 requester provides no identifying information or identifying information which is
20 imprecise or inadequate.

21 SECTION 43. 69.22 (5) (a) 2. of the statutes is amended to read:

22 69.22 (5) (a) 2. Making alterations any change ordered by a court under s. 69.12
23 (3) or 69.15 (4) (a).

24 SECTION 44. 69.22 (5) (a) 3. of the statutes is amended to read:

1 69.22 (5) (a) 3. Making alterations any change in a birth certificate under s.
2 69.15 (3) ~~or (3m)~~.

3 **SECTION 45.** 69.22 (5) (b) 1. of the statutes is amended to read:

4 69.22 (5) (b) 1. Any new vital record registered under s. 69.12 (4), 69.14 (2) (b)
5 6-, 69.15 (1), (2), (3) ~~or (4) (3m)~~, (4) (b), or (6), 69.16 (2), or 69.19, or any corrected vital
6 record registered under s. 69.13.

7 **SECTION 46.** 69.22 (6) of the statutes is amended to read:

8 69.22 (6) The state registrar may ~~provide free search and free charge a~~
9 reasonable fee for providing searches of vital records and for providing copies of vital
10 records to state agencies for program use. The register of deeds may provide free
11 searches and free copies to agencies in his or her county at the direction of the county
12 board.

13 **SECTION 47.** 69.24 (2) (b) of the statutes is amended to read:

14 69.24 (2) (b) ~~Wilfully~~ Willfully and knowingly refuses to provide information
15 required under this subchapter for a ~~death certificate or for any part of a birth~~
16 certificate which is not designated as the part for statistical or medical and statistical
17 use or for a death certificate.

18 **SECTION 48.** 445.13 (1m) (d) of the statutes is amended to read:

19 445.13 (1m) (d) Mail or transmit electronically a report of final disposition
20 required under s. 69.18 (3) (a) before effecting a final disposition, as defined in s.
21 69.01 (11).

22 **SECTION 49.** 765.12 (1) of the statutes is renumbered 765.12 (1) (a) and
23 amended to read:

24 765.12 (1) (a) If ss. 765.02, 765.05, 765.08, and 765.09 are complied with, and
25 if there is no prohibition against or legal objection to the marriage, the county clerk

1 shall issue a marriage license. With each marriage license the county clerk shall
2 provide a pamphlet describing the causes and effects of fetal alcohol syndrome. After
3 ~~the application for the marriage license the clerk shall, upon the sworn statement~~
4 ~~of either of the applicants, correct any erroneous, false or insufficient statement in~~
5 ~~the marriage license or in the application therefor which shall come to the clerk's~~
6 ~~attention prior to the marriage and shall show the corrected statement as soon as~~
7 ~~reasonably possible to the other applicant.~~

8 **SECTION 50.** 765.12 (1) (b) of the statutes is created to read:

9 765.12 (1) (b) If, after completion of the marriage license application, one of the
10 applicants notifies the clerk in writing that any of the information provided by that
11 applicant for the license is erroneous, the clerk shall notify the other applicant of the
12 correction as soon as reasonably possible. If the marriage license has not been
13 issued, the clerk shall prepare a new license with the correct information entered.
14 If the marriage license has been issued, the clerk shall immediately send a letter of
15 correction to the state registrar to amend the erroneous information.

16 **SECTION 51.** 765.12 (1) (c) of the statutes is created to read:

17 765.12 (1) (c) If, after completion of the marriage license application, the clerk
18 discovers that correct information has been entered erroneously, the clerk shall, if
19 the marriage license has not been issued, prepare a new license with the correct
20 information correctly entered. If the marriage license has been issued, the clerk shall
21 immediately send a letter of correction to the state registrar to amend the erroneous
22 information.

23 **SECTION 52.** 765.13 of the statutes is amended to read:

24 **765.13 Form of marriage document.** The marriage document shall contain
25 ~~the social security number of each party, as well as any other informational items~~

1 that the department of health and family services determines are necessary and
2 shall agree in the main with the standard form recommended by the federal agency
3 responsible for national vital statistics. It consist of the marriage license and the
4 marriage license worksheet. The marriage license shall contain a notification of the
5 time limits of the authorization to marry, a notation that the issue of the marriage
6 license shall not be deemed to remove or dispense with any legal disability,
7 impediment or prohibition rendering marriage between the parties illegal, and the
8 signature of the county clerk, who shall acquire the information for the marriage
9 document and enter it in its proper place when the marriage license is issued. The
10 marriage license worksheet shall contain the social security number of each party,
11 as well as any other information items that the department of health and family
12 services determines are necessary and shall agree in the main with the standard
13 form recommended by the federal agency responsible for national vital statistics.
14 The county clerk shall transmit the marriage license worksheet to the state registrar
15 within 5 days after the date of issuance of the marriage license.

16 **SECTION 53.** 767.62 (5) (b) of the statutes is amended to read:

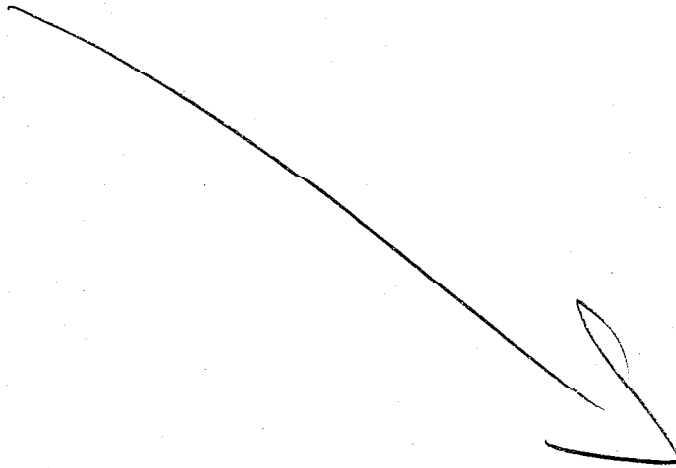
17 767.62 (5) (b) If a court in a proceeding under par. (a) determines that the man
18 is not the father of the child, the court shall vacate any order entered under sub. (4)
19 with respect to the man. The court or the county child support agency under s. 59.53
20 (5) shall notify the state registrar, in the manner provided in s. 69.15 (1) (b), to remove
21 the man's name as the father of the child from the child's birth certificate. No
22 paternity action may thereafter be brought against the man with respect to the child.

23 **SECTION 9423. Effective dates; health and family services.**

24 (1) DEATH CERTIFICATE MEDICAL CERTIFICATION. The treatment of sections 69.01
25 (16m), 69.11 (3) (b) 2., and 69.18 (1) (bm) (intro.), (2) (a) and (d) 1. and 2. of the

1 statutes, the renumbering and amendment of section 69.20 (2) (a) of the statutes, and
2 the creation of section 60.20 (2) (a) 2. of the statutes take effect on January 1, 2003.

3 ~~(END)~~



EFFECTIVE DATE

1. In the component bar: For the action phrase, execute: ... create → action: → *NS: → effdate
For the text, execute: create → text: → *NS: → effdateA
2. Nonstatutory subunits are numbered automatically. Fill in the SECTION # or subsection # only if a "frozen" number is needed.

SECTION # _____ . Effective date.

(#1) () This act takes effect on

1. In the component bar: For the action phrase, execute: .. create → action: → *NS: → effdateE
For the text, execute: create → text: → *NS: → effdate
2. Nonstatutory subunits are numbered automatically. Fill in the SECTION # or subsection # only if a "frozen" number is needed.

SECTION # _____ . Effective dates;

..... This act takes effect on the day after publication, except as follows:
(#1) () The treatment of sections of the statutes takes effect on

1. In the component bar: For the budget action phrase, execute:..create → action: → *NS: → 94XX
For the text, execute: create → text: → *NS: → effdate
2. Nonstatutory subunits are numbered automatically. Fill in the SECTION # or subsection # only if a "frozen" number is needed. Below, for the budget, fill in the 9400 department code.

SECTION 94 _____ . Effective dates;

(#1) ² ~~20~~ ² VITAL RECORDS FEE INCREASES The treatment of sections ... (a) 2. and 3, and (b) 1., and (c) ... of the statutes takes effect on ... the first day of the 2nd month ... beginning after publication.

(End)

Kennedy, Debora

From: Hadidian, Ellen
Sent: Monday, December 18, 2000 1:07 PM
To: Kennedy, Debora
Subject: Re: Fwd: FW: LRB Draft: 01-0426/1 Vital records

Debora, thought I had better send you this right away. Our legal counsel looked at your draft and here are her comments. I haven't read them carefully so don't know if they are more questions or actual requests for changes. Why don't you let me know what you think.

-----Original Message-----

Date: 12/18/2000 11:17 am -0600 (Monday)
From: Jean Gilpin
To: Hadidian, Ellen
CC: Breitborde, Sandra; Heimbruch, Janet; Langlois, Linda;
Peterson, Peggy
Subject: Re: Fwd: FW: LRB Draft: 01-0426/1 Vital records

Just a few comments to add to those of Linda Langlois.

- ✓ 1. Sections 8 and 9 provide for public indexes at the local level, and leave it to local discretion whether to include the local file number. It would allow different parts of the state to use different approaches, some including the file number and some not. Is this intentionally left to local discretion, or should it be the discretion of the State Registrar rather than the local registrar throughout? yes
- ✓ 2. Sections 22 and 23 provide for a hospice to engage in certain activities in issuing death certificates. I have never been involved with hospice regulation, but my impression is that in some hospice situations the hospice agency cares for the person in the person's own home rather than at a facility operated by the hospice. Is the intention that the hospice is to have authority only for deaths occurring at the hospice-operated facility, or is it intended to apply to all situations in which a hospice had been rendering care to the patient, even at the person's home? Perhaps the language could be clarified. (I have trouble coming up with appropriate language because of my lack of knowledge about how hospice actually functions.) *ok as is*
- ✓ 3. I'm not entirely sure I follow the system for the new death certificate protections. Since the extended fact of death information also includes the basic factual stuff plus some additional material, the 50-year restriction upon access to extended information appears to prevent access to the basic factual information during that same 50-year period. Was that intended? If not, perhaps the cross-reference in section 31 to 69.18(1m)(b) should be more limited, perhaps to 69.18 (1m)(b)2. and 3.??? ok

Sorry I don't have more time to review this more thoroughly. I am going on vacation as soon as I send this and won't be back until January 3. If something comes up before I return, feel free to contact Dan Stier or whoever else happens to be available in the Office of Legal Counsel.

>>> Linda Langlois 12/15/00 11:15 AM >>>

Hi Ellen. We have all had a chance to review the draft you sent us. The only edits we have are as follows:

- 1) On Page 2, in the last paragraph, it states "Under current law, the state or a local registrar must collect specified fees for issuing various documents, including a certified copy of a vital record, an additional certified copy of the same vital record, and uncertified copies of vital records, for searching vital records, and for making alterations ordered by a court. We need to change the sentence to read making alterations administratively and ordered by a court.
- 2) On Page 3, the sentence continues with "expedited service in issuing a vital record and clarifies that fees must be charged for making any change that is court ordered . . . ". We again need to add administrative. The sentence would read, "making any change that is court ordered, administrative, or that is a decision
- 3) On Page 3, in the fourth paragraph, it states " Currently, following a paternity action in which a court determines that a man is not the father of a child, the courts must notify the state registrar to remove the man's name as the child's father from the birth certificate. The bill authorizes the county child support agency also to so notify the state registrar.

This paragraph implies it is only okay for child supports to notify if a father is removed. The intended language is very clear in Section 19 of this document. The intent is to allow child support offices to report "paternity actions" to the state registrar. This would include adding and removing father's.

4) In Section 38 it allows customers to buy one certified copy for \$10.00 and any additional certified copies for \$3.00. This is fine.

In Section 39 it only references buying any uncertified copy for \$10.00. It does not reference buying additional uncertified copies for \$3.00.

Customers can buy additional copies of either certified or uncertified, so section 39 needs to be revised to include the additional copy fee.

5) Sections 38, 39, 40, 41 and 42 all reference the dollar amounts for issuing vital records. Maybe it's already in the current language and doesn't need to be repeated in this document, but I just want to make sure the dollar amounts for changing or creating vital records in the following sections list:

Section 43 = \$10.00

Section 44 = \$10.00

Section 45 = \$20.00

6) My final request is regarding the effective date in the increase of fees. I'm not sure where or how this would get added to this paper, but I would like to propose a 30 day delay from the date this bill is effective to require collection of the fee increases. This would allow all vital records offices to update, print and distribute applications, forms, fee schedules, internet sites revisions; etc.

Thanks so much for assisting us, and allowing us the opportunity to review this document. Give me a call if you have any questions.

>>> Ellen Hadidian 12/05/00 07:31AM >>>

Attached is the LRB draft of our stat language request. Could you all look it over and get your comments back to me by early next week if possible. Peggy, please note the drafter comment. thanks folks

Kennedy, Debora

From: Peterson, Peggy
Sent: Tuesday, December 19, 2000 10:44 AM
To: Gilpin, Jean; Hadidian, Ellen; Heimbruch, Janet; Langlois, Linda; Kennedy, Debora
Subject: RE: Fwd: FW: LRB Draft: 01-0426/1 Vital records

Yes, we do need to make some changes.

Debora, please let me know when we can talk about these issues:

- ✓ a. I think we want to restrict the issuance of indexes at all levels ? ? ? see 69.20 (3)(e) - see 12/26 notes
- ✓ b. I think we need to address the issue of the fact of death portion of the death records being closed (our intent is that this part and only this part be open to the public). See 12/26/00 notes
- ✓ c. As for hospice deaths, it was our intent that a physician working through a hospice would have the same rights to start a death record as a physician working in a hospital or nursing home so the Section 22 change to 69.18 (1) (c) is O.K. However, the Section 23 change to 69.18 (1) (d) should be changed to reflect only licensed hospices operating within a hospital or nursing home, not a home-care based service (since we don't require notice of removal forms for home deaths). ok as is; see D-Note

Thanks again to Jean Gilpin. She knows our program so well and she is such a great resource!

>>> Ellen Hadidian 12/19/00 08:45AM >>>

I forwarded Jean Gilpin's comments to Debora for her review. Please see her attached response. Do we need to request any further drafting changes, in light of what Jean has written. Debora thinks the comments are more policy issues than drafting ones. She has completed a third redraft of the language, incorporating changes that Linda had. If we are going to need more changes, we should let her know right away. Please let me know what you would like to do as soon as possible.

12/26/00 Conversation w/ Peggy Peterson to clarify
her 12/19/00 e-mail:

✓ ① In SECS 8+9 (§.69.06(2) and 69.07(2)),
make issuance of the local file # at the discretion
of the state registrar

✓ ② Fact of death - change reference in 69.20(a)(c)
to 69.18(1m)(b) 2. + 3.

✓ ③ Hospice - leave as is; see D-Note



(SOON - In edit 12/26)

State of Wisconsin
2001 - 2002 LEGISLATURE

D-NOTE

LRB-0426/4
DAK:hmh:
steps

DOA:.....Jablonsky - Vital records

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

Changes on pp.
1, 6 + 14 only

1 AN ACT *do not go* ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

OTHER HEALTH AND HUMAN SERVICES

Under current law relating to vital statistics, the state registrar or local registrars (the county registers of deeds or city registrars) may publish in a public index information from a birth certificate that is not changed or impounded concerning the name, sex, date and place of birth, and parents' names for a person born of a mother who was unmarried for the period from conception to birth. This bill limits the information that may be filed in public use indexes of certificates of birth, death, and divorce, or annulment, or marriage documents that are published by the state registrar or local registrars to the registrant's full name, date of the event, county of occurrence, county of residence and, at the discretion of the state ~~the~~ ~~state~~ registrar, the file number. Further, under the bill, for births that occur after September 30, 1907, certificate of birth index information may be copied or reproduced for the public only if 100 years have elapsed since the birth. Indexes of certificates of death or of divorce or annulment may be copied or reproduced for the public after 24 months from the year in which the event occurred, but certain information on the certificate of death itself may not be inspected by or disclosed to anyone for 50 years after the date of death, except to a person who has a direct and tangible interest in the death, such as a member of the decedent's immediate family or the decedent's legal custodian or guardian.

Current law specifies procedures by which the state registrar may, without a court order, change incorrect information or insert omitted information on a vital record or must, under a court order, make those changes. Current law also requires that a certificate of birth for every birth in this state be filed in the registration district in which the birth occurs, within five days after the birth. The bill specifies procedures for the state or a local registrar to follow in recording changed information on a vital record and specifies special procedures for the state registrar to follow, under a court order, in correcting facts misrepresented by an informant for a certificate of birth. The bill prohibits the state registrar from making changes on a birth certificate, without a court order, to add or delete the name of a parent or change the identity of a parent. The bill requires that the state registrar, rather than the local registrar, register births and make a copy available in the registration districts in which the birth occurred and in which the mother resided at the time of the birth.

Currently, a funeral director, a member of a decedent's immediate family, or a person authorized to dispose of unclaimed corpses or anatomically to study donated bodies who moves a corpse must, within 24 hours after the death, file certain information on a death certificate. The funeral director, family member, or person must forward the certificate to the decedent's attending physician or, for certain deaths (for example, homicides), to a coroner or medical examiner, for completion of a separate medical certification section on the death certificate. The person signing the medical certification must describe, in detail, the cause of death and must mail the death certificate within five days to the funeral director, family member, or person who is responsible for filing the death certificate. The bill requires that, beginning January 1, 2003, a certificate of death consist of three parts that contain: 1) Fact-of-death information (the name and other identifiers of the decedent, including the decedent's social security number; the date, time, and place that the decedent was pronounced dead; the manner of the death; the identity of the person certifying the death; and the dates of certification and filing of the death certificate). 2) Extended fact-of-death information (all the previous information, plus information on final disposition and cause of death, and injury-related data). 3) Statistical-only information (all other information that is collected on the standard death record form recommended by the federal agency responsible for national vital statistics and other data, as directed by the state registrar, including race, educational background, and health risk behavior). In addition, the bill clarifies what items on the certificate of death must be completed by persons who are required to complete medical certifications.

Under current law, the state or a local registrar must collect specified fees for issuing various documents, including a certified copy of a vital record, an additional certified copy of the same vital record, and uncertified copies of vital records, for searching vital records, and for making alterations administratively and as ordered by a court. The bill increases the amounts that the state registrar or a local registrar may charge as fees for issuing an additional certified copy of a vital record. The bill authorizes charging for issuing additional copies of uncertified vital records and for expedited service in issuing a vital record. The bill clarifies that fees must be charged

for making any change that is court ordered, that is administrative, or that is a rescission of a statement acknowledging paternity. The bill also provides that a reasonable fee may be charged for providing searches of vital records and copies of vital records to state agencies for program use.

Under current law, after persons apply for a marriage license, a county clerk who receives the sworn statement of either of the applicants must correct erroneous, false, or insufficient statements in the marriage license or in the application and must show the corrected statement to the other applicant. Under the bill, a county clerk who is notified in writing by a marriage applicant that information provided for the license is erroneous must notify the other applicant as soon as reasonably possible and, if the marriage license has not been issued, prepare a new license with the correct information entered; if the marriage license has been issued, the clerk must immediately send a letter of correction to the state registrar. Also, under the bill, if the clerk discovers that correct information has been entered erroneously on the marriage license, he or she must prepare a new license if the marriage license has not been issued, or must immediately send a letter of correction to the state registrar to amend the erroneous information if the marriage license has been issued.

Under current law, the marriage document must contain the social security number of each party, as well as any other informational items that DHFS determines are necessary. The bill requires that the marriage document consist of the marriage license and the marriage license worksheet, and that the latter contain the social security number and other information items that DHFS determines are necessary. Further, the marriage license worksheet must agree in the main with the standard form recommended by the federal agency responsible for national vital statistics; the county clerk must transmit the marriage license worksheet to the state registrar within five days after the date of issuance of the marriage license.

Currently, following a paternity action, the court must notify the state registrar of necessary changes to the child's birth certificate that result from the paternity action. This bill authorizes the county child support agency also to so notify the state registrar.

Currently, the definition of "vital records" means certificates of birth, death, and divorce or annulment, marriage documents, and related data. The bill expands the definition of "vital records" to include worksheets or electronic transmissions that use forms of electronic file formats that are approved by the state registrar and are related to birth, death, or divorce or annulment certificates or marriage documents.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1

SECTION 1. 46.03 (34) of the statutes is amended to read:

1 **46.03 (34) FETAL ALCOHOL SYNDROME AND DRUG DANGER PAMPHLETS.** The
2 department shall acquire, without cost if possible, pamphlets that describe the
3 causes and effects of fetal alcohol syndrome and the dangers to a fetus of the mother's
4 use of cocaine or other drugs during pregnancy and shall distribute the pamphlets
5 free of charge to each county clerk in sufficient quantities so that each county clerk
6 may provide pamphlets to marriage license applicants under s. 765.12 (1) (a).

7 **SECTION 2.** 69.01 (6g) of the statutes is created to read:

8 **69.01 (6g)** "Date of death" means the date that a person is pronounced dead by
9 a physician, coroner, deputy coroner, medical examiner, or deputy medical examiner.

10 **SECTION 3.** 69.01 (16m) of the statutes is created to read:

11 **69.01 (16m)** "Medical certification" means those portions of a death certificate
12 that provide the cause of death, the manner of death, injury-related data, and any
13 other medically-related data that is collected as prescribed by the state registrar
14 under s. 69.18 (1m) (c) 2.

15 **SECTION 4.** 69.01 (22) of the statutes is amended to read:

16 **69.01 (22)** "Research" means a systematic study through scientific inquiry for
17 the purpose of expanding a field of knowledge, including ~~but not limited to~~
18 environmental or epidemiological research or special studies, that is conducted by
19 persons who meet criteria for access that are specified in rules promulgated under
20 s. 69.20 (4).

21 **SECTION 5.** 69.01 (26) of the statutes is renumbered 69.01 (26) (intro.) and
22 amended to read:

23 **69.01 (26) (intro.)** "Vital records" means certificates any of the following:

24 (a) Certificates of birth, death, and divorce or annulment, and marriage
25 documents and data.

1 (c) Data related thereto to documents under par. (a) or worksheets or electronic
2 transmissions under par. (b).

3 **SECTION 6.** 69.01 (26) (b) of the statutes is created to read:

4 69.01 (26) (b) Worksheets or electronic transmissions that use forms or
5 electronic file formats that are approved by the state registrar and are related to
6 documents under par. (a).

7 **SECTION 7.** 69.03 (5) of the statutes is amended to read:

8 69.03 (5) Under this subchapter, accept for registration, assign a date of
9 acceptance, and index and preserve original certificates of birth and death, original
10 marriage documents and original divorce reports. Indexes prepared for public use
11 under s. 69.20 (3) (e) shall consist of the registrant's full name, date of the event,
12 county of occurrence, county of residence, and, at the discretion of the state registrar,
13 state file number. Notwithstanding s. 69.24 (1) (e), the state registrar may transfer
14 the paper original of a vital record to optical disc or electronic format in accordance
15 with s. 16.61 (5) or to microfilm reproduction in accordance with s. 16.61 (6) and
16 destroy the paper original of any vital record that is so converted. For the purposes
17 of this subchapter, the electronic format version or microfilm reproduction version
18 of the paper original of a vital record that has been transferred under this subsection
19 shall serve as the original vital record.

20 **SECTION 8.** 69.06 (2) of the statutes is amended to read:

21 69.06 (2) Make, file, and index an exact copy of every certificate accepted under
22 sub. (1). Indexes prepared for public use under s. 69.20 (3) (e) shall consist of the
23 registrant's full name, date of the event, county of occurrence, county of residence,
24 and, at the discretion of the ~~issuing~~ registrar, local file number.

25 **SECTION 9.** 69.07 (2) of the statutes is amended to read:

State

1 69.07 (2) Make, file, and index an exact copy of every vital record accepted
2 under sub. (1) or received under s. 69.05 (3). Indexes prepared for public use under
3 s. 69.20 (3) (e) shall consist of the registrant's full name, date of the event, county of
4 occurrence, county of residence, and, at the discretion of the ~~issuing~~ registrar, local
5 file number. state

6 **SECTION 10.** 69.08 of the statutes is renumbered 69.08 (1), and 69.08 (1) (a), as
7 renumbered, is amended to read:

8 69.08 (1) (a) Is on a form prescribed or supplied for the record by the state
9 registrar.

10 **SECTION 11.** 69.08 (2m) of the statutes is created to read:

11 69.08 (2m) Subsection (1) does not prohibit electronic filing of a vital record
12 under the system of vital statistics.

13 **SECTION 12.** 69.11 (3) (b) 2. of the statutes is amended to read:

14 69.11 (3) (b) 2. Cause of death, if the vital record is a death certificate and if the
15 amendment is accompanied by a statement ~~which~~ that the person who signed the
16 ~~medical certificate part of the death certificate under s. 69.18 (2) certification~~ has
17 submitted to support the amendment.

18 **SECTION 13.** 69.11 (3) (b) 3. of the statutes is repealed.

19 **SECTION 14.** 69.11 (4) (b) of the statutes is amended to read:

20 69.11 (4) (b) ~~If 365 days have elapsed since the occurrence of the event which~~
21 ~~is the subject of a birth certificate, the~~ The state registrar may amend an item on the
22 a birth certificate which that affects information about the name, sex, date of birth,
23 place of birth, ~~parents' surnames~~ parent's name, or marital status of the mother on
24 a birth certificate if 365 days have elapsed since the occurrence of the event that is
25 the subject of the birth certificate, if the amendment is at the request of a person with

1 a direct and tangible interest in the record and is on a request form supplied by the
2 state registrar, and if the amendment is accompanied by 2 items of documentary
3 evidence from early childhood that are sufficient to prove that the item to be changed
4 is in error and by the affidavit of the person requesting the amendment. A change
5 in the marital status on the birth certificate may be made under this paragraph only
6 if the marital status is inconsistent with information concerning the father or
7 husband that appears on the birth certificate. This paragraph may not be used to
8 add to or delete from a birth certificate the name of a parent or to change the identity
9 of a parent named on the birth certificate.

10 **SECTION 15.** 69.11 (5) (a) 2. of the statutes is repealed and recreated to read:

11 69.11 (5) (a) 2. If the amendment changes the information on the vital record,
12 do all of the following:

13 a. Record the correct information in the relevant area of the vital record.

14 b. Maintain legibility of the changed information by placing a single line
15 through the changed entry, by recording the changed information elsewhere on the
16 legal portion of the vital record, or both.

17 c. Make a notation on the vital record that clearly states that the vital record
18 has been amended and that gives the number of the item corrected, the date of the
19 correction, and the source of the amending information.

20 d. Initial the amendment notation specified in subd. 2. c.

21 **SECTION 16.** 69.12 (5) of the statutes is created to read:

22 69.12 (5) A change in the marital status on the certificate of birth may be
23 requested under this section only if the marital status is inconsistent with father or
24 husband information appearing on the certificate of birth. This section may not be

1 used to add or delete the name of a parent on the certificate of birth or change the
2 identity of either parent named on the certificate of birth.

3 **SECTION 17.** 69.13 of the statutes is created to read:

4 **69.13 Correction of facts misrepresented by informant for certificate**
5 **of birth.** The state registrar may, under an order issued by the circuit court of the
6 county in which a birth occurred, correct information about the parent or the marital
7 status of the mother on a certificate of birth that is registered in this state if all of
8 the following conditions apply:

9 (1) The correction may not be accomplished under s. 69.11, 69.12, or 69.15
10 because the disputed information was misrepresented by the informant during the
11 preparation of the birth certificate.

12 (2) The state registrar receives, on a form prescribed by the state registrar, a
13 court order that is accompanied by all of the following:

14 (a) A petition for correction filed by a person with a direct and tangible interest
15 in the certificate of birth.

16 (b) Certification that all of the following supporting evidence, as listed by the
17 court in the order, was presented in addition to oral testimony:

18 1. A certified copy of the original certificate of birth.

19 2. If the birth occurred in a hospital, a copy of the birth worksheet and any other
20 supporting documentation from the hospital.

21 3. If the birth did not occur in a hospital, a statement from the birth attendant.

22 4. If relevant to the correction sought, a certified copy of a marriage document,
23 a certified copy of a certificate of divorce or annulment or a final divorce decree that
24 indicates that the mother was not married to the person listed as her husband at any

1 time during the pregnancy, a legal name change order, or any other legal document
2 that clarifies the disputed information.

3 5. A statement signed by the certificate of birth informant or the petitioner
4 acknowledging that the disputed information was misrepresented.

5 (c) The supporting evidence specified in par. (b) 1. to 5.

6 (d) The fee specified under s. 69.22 (5) (b) 1.

7 **SECTION 18.** 69.14 (1) (a) 1. of the statutes is amended to read:

8 69.14 (1) (a) 1. Except as provided under subd. 2., a certificate of birth for every
9 birth ~~which that~~ occurs in this state shall be filed ~~in the registration district in which~~
10 ~~the birth occurs~~ within 5 days after the birth and shall be registered with the state
11 registrar, who shall register the birth under this subchapter and shall make a copy
12 of the certificate of birth available to the registration district in which the birth
13 occurred and the registration district in which the mother of the registrant resided
14 at the time of the birth.

15 **SECTION 19.** 69.15 (1) (b) of the statutes is amended to read:

16 69.15 (1) (b) A clerk of court or, for a paternity action, a clerk of court or county
17 child support agency under s. 59.53 (5), sends the state registrar a certified report
18 of an order of a court in this state on a form supplied by the state registrar or, in the
19 case of any other order, the state registrar receives a certified copy of the order and
20 the proper fee under s. 69.22.

21 **SECTION 20.** 69.17 of the statutes is amended to read:

22 **69.17 Divorce report.** At the end of every biweekly period, the clerk of any
23 court which conducts divorce proceedings under ch. 767 shall forward to the state
24 registrar, on a form supplied by the state registrar or in an electronic format that is
25 approved by the state registrar, a report of every divorce or annulment of marriage

1 granted during the biweekly period. The form supplied by the state registrar shall
2 require that the social security numbers of the parties to the divorce or annulment
3 and the social security number of any child of the parties be provided.

4 **SECTION 21.** 69.18 (1) (bm) (intro.) of the statutes is amended to read:

5 69.18 (1) (bm) (intro.) A person required to file a certificate of death under par.
6 (b) shall obtain the information required for the certificate of death from the next of
7 kin or the best qualified person or source available. The person filing the certificate
8 of death shall enter his or her signature on the certificate and include his or her
9 address and the date of signing and shall present or mail the certificate, within 24
10 hours after being notified of the death, to the physician, coroner or medical examiner
11 responsible for completing and signing the medical certification ~~under sub. (2).~~
12 Within 2 days after receipt of the medical certification ~~under sub. (2),~~ the person
13 filing the certificate of death shall mail or present the certificate of death in:

14 **SECTION 22.** 69.18 (1) (c) of the statutes is amended to read:

15 69.18 (1) (c) A hospital ~~or~~, a nursing home, as defined in s. 50.01 (3), or a hospice,
16 as defined in s. 50.90 (1), which is the place of death of a person may prepare a
17 certificate of death for the person and give the certificate to the person who moves
18 the corpse under par. (a).

19 **SECTION 23.** 69.18 (1) (d) of the statutes is amended to read:

20 69.18 (1) (d) A hospital ~~or~~, nursing home, or hospice, as defined in s. 50.90 (1)
21 (c), may not release a corpse to any person under par. (a) unless the person presents
22 a notice of removal on a form prescribed by the state registrar, in duplicate, to the
23 administrator of the hospital ~~or~~, nursing home, or hospice. The administrator shall
24 retain one copy and forward the other copy to the local registrar of the registration
25 district in which the hospital ~~or~~, nursing home, or hospice is located or shall transmit

1 the data electronically in a manner and format that is prescribed by the state
2 registrar.

3 **SECTION 24.** 69.18 (1m) of the statutes is created to read:

4 69.18 (1m) FORMAT. Beginning on January 1, 2003, a certificate of death shall
5 consist of the following parts:

6 (a) Fact-of-death information, which shall include all of the following:

7 1. The name and other identifiers of the decedent, including the decedent's
8 social security number, if any.

9 2. The date, time, and place that the decedent was pronounced dead.

10 3. The manner of the decedent's death.

11 4. The identity of the person certifying the death.

12 5. The dates of certification and filing of the certificate of death.

13 (b) Extended fact-of-death information, which includes all of the following:

14 1. All information under par. (a).

15 2. Information on final disposition and cause of death.

16 3. Injury-related data.

17 (c) Statistical-use-only information, which includes all of the following:

18 1. All information other than that under par. (b) that is collected on the
19 standard death record form recommended by the federal agency responsible for
20 national vital statistics.

21 2. Other data, as directed by the state registrar, including race, educational
22 background, and health risk behavior.

23 **SECTION 25.** 69.18 (2) (a) of the statutes is amended to read:

1 69.18 (2) (a) On the form for a certificate of death prescribed by the state
2 registrar under sub. (1) (b), the state registrar shall provide for a ~~separate medical~~
3 ~~certification section~~ to be completed under this subsection.

4 **SECTION 26.** 69.18 (2) (d) 1. of the statutes is amended to read:

5 69.18 (2) (d) 1. Except as provided under par. (e), if a death is the subject of a
6 coroner's or medical examiner's determination under s. 979.01 or 979.03, the coroner
7 or medical examiner or a physician supervised by a coroner or medical examiner in
8 the county where the event which caused the death occurred shall complete and sign
9 the medical certification ~~part of the death certificate~~ for the death and mail the death
10 certificate within 5 days after the pronouncement of death or present the certificate
11 to the person responsible for filing the death certificate under sub. (1) within 6 days
12 after the pronouncement of death.

13 **SECTION 27.** 69.18 (2) (d) 2. of the statutes is amended to read:

14 69.18 (2) (d) 2. Except as provided under par. (e), if the decedent was not under
15 the care of a physician for the illness or condition from which the person died, the
16 coroner or medical examiner, or a physician supervised by a coroner or medical
17 examiner, in the county of the place of death shall complete and sign the medical
18 certification ~~part of the death certificate~~ for the death and mail the death certificate
19 within 5 days after the pronouncement of death or present the certificate to the
20 person responsible for filing the death certificate under sub. (1) within 6 days after
21 the pronouncement of death.

22 **SECTION 28.** 69.18 (3) (a) of the statutes is amended to read:

23 69.18 (3) (a) Except as provided under par. (c) or (e), the person who has moved
24 a corpse under sub. (1) (a) shall complete a report for final disposition, on a form
25 supplied by the state registrar, and, within 24 hours after being notified of the death,

1 mail or present a copy of the report or transmit the data electronically in a manner
2 and format prescribed by the state registrar to the coroner or medical examiner in
3 the county of the place of death and mail or present a copy or transmit the data
4 electronically in a manner and format prescribed by the state registrar to the local
5 registrar in the registration district of the place of death. If the cause of death is
6 subject to an investigation under s. 979.01 or 979.03, the report for final disposition
7 shall be submitted to the coroner or medical examiner in the county in which the
8 event which caused the death occurred.

9 **SECTION 29.** 69.20 (2) (a) of the statutes is renumbered 69.20 (2) (a) (intro.) and
10 amended to read:

11 69.20 (2) (a) (intro.) Except as provided under sub. (3), information in the part
12 of a ~~birth~~ certificate, of birth or divorce or annulment or a marriage document or
13 ~~divorce report~~ that is designated on the form as being collected for statistical or
14 medical and statistical use only and information in the part of a death certificate that
15 is designated on the form as being collected as statistical-use-only information
16 under s. 69.18 (1m) (c) may not be disclosed to any person except the subject
17 following:

18 1. The subject of the information, or, if the subject is a minor, ~~to~~ his or her parent
19 or guardian.

20 **SECTION 30.** 69.20 (2) (a) 2. of the statutes is created to read:

21 69.20 (2) (a) 2. For a certificate of death, any of the persons specified under s.
22 69.18 (4) (a) 1. to 6. or an individual who is authorized in writing by one of the persons.

23 **SECTION 31.** 69.20 (2) (c) of the statutes is created to read:

24 69.20 (2) (c) Except as provided under sub. (3), until 50 years after a decedent's
25 date of death, the state registrar and a local registrar may not permit inspection of

1 or disclose information contained in the portion under s. 69.18 (1m) (b) of the
2 certificate of death to anyone except to a person specified under s. 69.20 (1), or to a
3 direct descendent of the decedent.

4 **SECTION 32.** 69.20 (3) (e) of the statutes is repealed and recreated to read:

5 69.20 (3) (e) Public use indexes of certificates of birth, death, or divorce or
6 annulment, or marriage documents that are filed in the system of vital statistics at
7 the state or local level are accessible only by inspection at the office of the state
8 registrar or of a local registrar and may not be copied or reproduced except as follows:

9 1. a. Certificate of birth index information may be copied or reproduced for the
10 public only after 100 years have elapsed from the year in which the birth occurred.
11 No information in the index that has been impounded under s. 69.15 may be released.

12 b. Subdivision 1. a. does not apply to certificate of birth indexes of events that
13 occurred before October 1, 1907.

14 2. Indexes of certificates of death or divorce or annulment may be copied or
15 reproduced for the public after 24 months have elapsed from the year in which the
16 event occurred.

17 3. Beginning January 1, 2003, any information that is obtained from an index
18 under subd. 1. or 2. and that is released shall contain the following statement: "This
19 information is not a legal vital record index. Inclusion of any information does not
20 constitute legal verification of the fact of the event."

21 **SECTION 33.** 69.20 (4) of the statutes is amended to read:

22 69.20 (4) The Under procedures that are promulgated by rule, the state
23 registrar and every local registrar shall protect vital records from mutilation,
24 alteration or, theft, or fraudulent use and shall protect the privacy rights of
25 registrants and their families by strictly controlling direct access to any vital record

2. and
3.

1 filed or registered in paper or electronic form ~~through procedures promulgated by~~
2 ~~rule.~~

3 **SECTION 34.** 69.21 (1) (a) 2. b. of the statutes is amended to read:

4 69.21 (1) (a) 2. b. Any information of the part of a ~~birth~~ certificate, of birth,
5 death, or divorce or annulment or a marriage document or divorce report, the
6 disclosure of which is limited under s. 69.20 (2) (a) and (c), unless the requester is the
7 subject of the information or, for a decedent, unless the requester is specified in s.
8 69.20 (2) (a) 2.

9 **SECTION 35.** 69.21 (1) (b) 4. of the statutes is amended to read:

10 69.21 (1) (b) 4. ~~Any~~ A copy of a death certificate issued under par. (a) for a death
11 that occurred before January 1, 2003, shall include, ~~without limitation due to~~
12 ~~enumeration,~~ the name, sex, date and place of death, age or birth date, cause and
13 manner of death, and social security number, if any, of the decedent, and the file
14 number and the file date of the certificate, except that a requester may, upon request,
15 obtain a copy that does not include the cause of death.

16 **SECTION 36.** 69.21 (1) (b) 5. of the statutes is created to read:

17 69.21 (1) (b) 5. A copy of a death certificate issued under par. (a) for a death that
18 occurs after December 31, 2002, shall be on a form that contains only fact-of-death
19 information specified in s. 69.18 (1m) (a), except that a requester may, upon request,
20 obtain a form that contains extended fact-of-death information specified in s. 69.18
21 (1m) (b).

22 **SECTION 37.** 69.22 (1) (intro.) of the statutes is amended to read:

23 69.22 (1) (intro.) ~~The~~ Except as provided in sub. (6), the state registrar and any
24 local registrar acting under this subchapter shall collect the following fees:

25 **SECTION 38.** 69.22 (1) (a) of the statutes is amended to read:

1 69.22 (1) (a) Except as provided under par. (c), \$7 for issuing one certified copy
2 of a vital record and ~~\$2~~ \$3 for any additional certified copy of the same vital record
3 issued at the same time.

4 **SECTION 39.** 69.22 (1) (b) of the statutes is amended to read:

5 69.22 (1) (b) Except as provided under par. (c), \$7 for any uncertified copy of
6 a vital record issued under s. 69.21 (2) (a) or (b) or for verifying information submitted
7 by a requester without issuance of a copy and \$3 for any additional uncertified copy
8 of the same vital record issued at the same time.

9 **SECTION 40.** 69.22 (1) (d) of the statutes is created to read:

10 69.22 (1) (d) In addition to other fees under this subchapter, \$10 for expedited
11 service in issuing a vital record.

12 **SECTION 41.** 69.22 (5) (a) 2. of the statutes is amended to read:

13 69.22 (5) (a) 2. Making alterations any change ordered by a court under s. 69.12
14 (3) or 69.15 (4) (a).

15 **SECTION 42.** 69.22 (5) (a) 3. of the statutes is amended to read:

16 69.22 (5) (a) 3. Making alterations any change in a birth certificate under s.
17 69.15 (3) or (3m).

18 **SECTION 43.** 69.22 (5) (b) 1. of the statutes is amended to read:

19 69.22 (5) (b) 1. Any new vital record registered under s. 69.12 (4), 69.14 (2) (b)
20 6., 69.15 (1), (2), (3) or (4) (3m), (4) (b), or (6), 69.16 (2), or 69.19, or any corrected vital
21 record registered under s. 69.13.

22 **SECTION 44.** 69.22 (6) of the statutes is amended to read:

23 69.22 (6) The state registrar may ~~provide free search and free charge a~~
24 reasonable fee for providing searches of vital records and for providing copies of vital
25 records to state agencies for program use. The register of deeds may provide free

1 searches and free copies to agencies in his or her county at the direction of the county
2 board.

3 **SECTION 45.** 69.24 (2) (b) of the statutes is amended to read:

4 69.24 (2) (b) ~~Wilfully~~ Willfully and knowingly refuses to provide information
5 required under this subchapter for a death certificate or for any part of a birth
6 certificate which is not designated as the part for statistical or medical and statistical
7 use or for a death certificate.

8 **SECTION 46.** 445.13 (1m) (d) of the statutes is amended to read:

9 445.13 (1m) (d) Mail or transmit electronically a report of final disposition
10 required under s. 69.18 (3) (a) before effecting a final disposition, as defined in s.
11 69.01 (11).

12 **SECTION 47.** 765.12 (1) of the statutes is renumbered 765.12 (1) (a) and
13 amended to read:

14 765.12 (1) (a) If ss. 765.02, 765.05, 765.08, and 765.09 are complied with, and
15 if there is no prohibition against or legal objection to the marriage, the county clerk
16 shall issue a marriage license. With each marriage license the county clerk shall
17 provide a pamphlet describing the causes and effects of fetal alcohol syndrome. ~~After~~
18 ~~the application for the marriage license the clerk shall, upon the sworn statement~~
19 ~~of either of the applicants, correct any erroneous, false or insufficient statement in~~
20 ~~the marriage license or in the application therefor which shall come to the clerk's~~
21 ~~attention prior to the marriage and shall show the corrected statement as soon as~~
22 ~~reasonably possible to the other applicant.~~

23 **SECTION 48.** 765.12 (1) (b) of the statutes is created to read:

24 765.12 (1) (b) If, after completion of the marriage license application, one of the
25 applicants notifies the clerk in writing that any of the information provided by that

1 applicant for the license is erroneous, the clerk shall notify the other applicant of the
2 correction as soon as reasonably possible. If the marriage license has not been
3 issued, the clerk shall prepare a new license with the correct information entered.
4 If the marriage license has been issued, the clerk shall immediately send a letter of
5 correction to the state registrar to amend the erroneous information.

6 **SECTION 49.** 765.12 (1) (c) of the statutes is created to read:

7 765.12 (1) (c) If, after completion of the marriage license application, the clerk
8 discovers that correct information has been entered erroneously, the clerk shall, if
9 the marriage license has not been issued, prepare a new license with the correct
10 information correctly entered. If the marriage license has been issued, the clerk shall
11 immediately send a letter of correction to the state registrar to amend the erroneous
12 information.

13 **SECTION 50.** 765.13 of the statutes is amended to read:

14 **765.13 Form of marriage document.** The marriage document shall contain
15 ~~the social security number of each party, as well as any other informational items~~
16 ~~that the department of health and family services determines are necessary and~~
17 ~~shall agree in the main with the standard form recommended by the federal agency~~
18 ~~responsible for national vital statistics. It consist of the marriage license and the~~
19 marriage license worksheet. The marriage license shall contain a notification of the
20 time limits of the authorization to marry, a notation that the issue of the marriage
21 license shall not be deemed to remove or dispense with any legal disability,
22 impediment or prohibition rendering marriage between the parties illegal, and the
23 signature of the county clerk, who shall acquire the information for the marriage
24 document and enter it in its proper place when the marriage license is issued. The
25 marriage license worksheet shall contain the social security number of each party.

1 as well as any other information items that the department of health and family
2 services determines are necessary and shall agree in the main with the standard
3 form recommended by the federal agency responsible for national vital statistics.
4 The county clerk shall transmit the marriage license worksheet to the state registrar
5 within 5 days after the date of issuance of the marriage license.

6 **SECTION 51.** 767.62 (5) (b) of the statutes is amended to read:

7 767.62 (5) (b) If a court in a proceeding under par. (a) determines that the man
8 is not the father of the child, the court shall vacate any order entered under sub. (4)
9 with respect to the man. The court or the county child support agency under s. 59.53
10 (5) shall notify the state registrar, in the manner provided in s. 69.15 (1) (b), to remove
11 the man's name as the father of the child from the child's birth certificate. No
12 paternity action may thereafter be brought against the man with respect to the child.

13 **SECTION 9423. Effective dates; health and family services.**

14 (1) DEATH CERTIFICATE MEDICAL CERTIFICATION. The treatment of sections 69.01
15 (16m), 69.11 (3) (b) 2., and 69.18 (1) (bm) (intro.), (2) (a) and (d) 1. and 2. of the
16 statutes, the renumbering and amendment of section 69.20 (2) (a) of the statutes, and
17 the creation of section 60.20 (2) (a) 2. of the statutes take effect on January 1, 2003.

18 (2) VITAL RECORDS FEE INCREASES. The treatment of section 69.22 (1), (2), (5) (a)
19 2. and 3. and (b) 1., and (6) of the statutes takes effect on the first day of the 2nd month
20 beginning after publication.

21 (END)

D-NOTE

04/20/4
DAK:hmh:

D-NOTE
Deadline

To Sue Gablonsky and Ellen Hadidian:

I have made no change to s. 69.18(1)(d).

That statute, in the draft, references the definition of a hospice in s. 50.90(1)(c); that definition is for a hospice that is either a freestanding structure or a part of another structure that provides inpatient care (as opposed to care in a person's home), so it appears already to do what you want.

DAK

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0426/4dn
DAK:hmh:km

December 27, 2000

To Sue Jablonsky and Ellen Hadidian:

I have made no change to s. 69.18 (1) (d). That statute, in the draft, references the definition of a hospice in s. 50.90 (1) (c); that definition is for a hospice that is either a freestanding structure or a part of another structure that provides inpatient care (as opposed to care in a person's home), so it appears already to do what you want.

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State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-0426/4
DAK:hmh:km

DOA:.....Jablonsky – Vital records

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to:** the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

OTHER HEALTH AND HUMAN SERVICES

Under current law relating to vital statistics, the state registrar or local registrars (the county registers of deeds or city registrars) may publish in a public index information from a birth certificate that is not changed or impounded concerning the name, sex, date and place of birth, and parents' names for a person born of a mother who was unmarried for the period from conception to birth. This bill limits the information that may be filed in public use indexes of certificates of birth, death, and divorce, or annulment, or marriage documents that are published by the state registrar or local registrars to the registrant's full name, date of the event, county of occurrence, county of residence and, at the discretion of the state registrar, the file number. Further, under the bill, for births that occur after September 30, 1907, certificate of birth index information may be copied or reproduced for the public only if 100 years have elapsed since the birth. Indexes of certificates of death or of divorce or annulment may be copied or reproduced for the public after 24 months from the year in which the event occurred, but certain information on the certificate of death itself may not be inspected by or disclosed to anyone for 50 years after the date of death, except to a person who has a direct and tangible interest in the death, such as a member of the decedent's immediate family or the decedent's legal custodian or guardian.

Current law specifies procedures by which the state registrar may, without a court order, change incorrect information or insert omitted information on a vital record or must, under a court order, make those changes. Current law also requires that a certificate of birth for every birth in this state be filed in the registration district in which the birth occurs, within five days after the birth. The bill specifies procedures for the state or a local registrar to follow in recording changed information on a vital record and specifies special procedures for the state registrar to follow, under a court order, in correcting facts misrepresented by an informant for a certificate of birth. The bill prohibits the state registrar from making changes on a birth certificate, without a court order, to add or delete the name of a parent or change the identity of a parent. The bill requires that the state registrar, rather than the local registrar, register births and make a copy available in the registration districts in which the birth occurred and in which the mother resided at the time of the birth.

Currently, a funeral director, a member of a decedent's immediate family, or a person authorized to dispose of unclaimed corpses or anatomically to study donated bodies who moves a corpse must, within 24 hours after the death, file certain information on a death certificate. The funeral director, family member, or person must forward the certificate to the decedent's attending physician or, for certain deaths (for example, homicides), to a coroner or medical examiner, for completion of a separate medical certification section on the death certificate. The person signing the medical certification must describe, in detail, the cause of death and must mail the death certificate within five days to the funeral director, family member, or person who is responsible for filing the death certificate. The bill requires that, beginning January 1, 2003, a certificate of death consist of three parts that contain: 1) Fact-of-death information (the name and other identifiers of the decedent, including the decedent's social security number; the date, time, and place that the decedent was pronounced dead; the manner of the death; the identity of the person certifying the death; and the dates of certification and filing of the death certificate). 2) Extended fact-of-death information (all the previous information, plus information on final disposition and cause of death, and injury-related data). 3) Statistical-only information (all other information that is collected on the standard death record form recommended by the federal agency responsible for national vital statistics and other data, as directed by the state registrar, including race, educational background, and health risk behavior). In addition, the bill clarifies what items on the certificate of death must be completed by persons who are required to complete medical certifications.

Under current law, the state or a local registrar must collect specified fees for issuing various documents, including a certified copy of a vital record, an additional certified copy of the same vital record, and uncertified copies of vital records, for searching vital records, and for making alterations administratively and as ordered by a court. The bill increases the amounts that the state registrar or a local registrar may charge as fees for issuing an additional certified copy of a vital record. The bill authorizes charging for issuing additional copies of uncertified vital records and for expedited service in issuing a vital record. The bill clarifies that fees must be charged

for making any change that is court ordered, that is administrative, or that is a rescission of a statement acknowledging paternity. The bill also provides that a reasonable fee may be charged for providing searches of vital records and copies of vital records to state agencies for program use.

Under current law, after persons apply for a marriage license, a county clerk who receives the sworn statement of either of the applicants must correct erroneous, false, or insufficient statements in the marriage license or in the application and must show the corrected statement to the other applicant. Under the bill, a county clerk who is notified in writing by a marriage applicant that information provided for the license is erroneous must notify the other applicant as soon as reasonably possible and, if the marriage license has not been issued, prepare a new license with the correct information entered; if the marriage license has been issued, the clerk must immediately send a letter of correction to the state registrar. Also, under the bill, if the clerk discovers that correct information has been entered erroneously on the marriage license, he or she must prepare a new license if the marriage license has not been issued, or must immediately send a letter of correction to the state registrar to amend the erroneous information if the marriage license has been issued.

Under current law, the marriage document must contain the social security number of each party, as well as any other informational items that DHFS determines are necessary. The bill requires that the marriage document consist of the marriage license and the marriage license worksheet, and that the latter contain the social security number and other information items that DHFS determines are necessary. Further, the marriage license worksheet must agree in the main with the standard form recommended by the federal agency responsible for national vital statistics; the county clerk must transmit the marriage license worksheet to the state registrar within five days after the date of issuance of the marriage license.

Currently, following a paternity action, the court must notify the state registrar of necessary changes to the child's birth certificate that result from the paternity action. This bill authorizes the county child support agency also to so notify the state registrar.

Currently, the definition of "vital records" means certificates of birth, death, and divorce or annulment, marriage documents, and related data. The bill expands the definition of "vital records" to include worksheets or electronic transmissions that use forms of electronic file formats that are approved by the state registrar and are related to birth, death, or divorce or annulment certificates or marriage documents.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1

SECTION 1. 46.03 (34) of the statutes is amended to read:

1 46.03 (34) FETAL ALCOHOL SYNDROME AND DRUG DANGER PAMPHLETS. The
2 department shall acquire, without cost if possible, pamphlets that describe the
3 causes and effects of fetal alcohol syndrome and the dangers to a fetus of the mother's
4 use of cocaine or other drugs during pregnancy and shall distribute the pamphlets
5 free of charge to each county clerk in sufficient quantities so that each county clerk
6 may provide pamphlets to marriage license applicants under s. 765.12 (1) (a).

7 **SECTION 2.** 69.01 (6g) of the statutes is created to read:

8 69.01 (6g) "Date of death" means the date that a person is pronounced dead by
9 a physician, coroner, deputy coroner, medical examiner, or deputy medical examiner.

10 **SECTION 3.** 69.01 (16m) of the statutes is created to read:

11 69.01 (16m) "Medical certification" means those portions of a death certificate
12 that provide the cause of death, the manner of death, injury-related data, and any
13 other medically-related data that is collected as prescribed by the state registrar
14 under s. 69.18 (1m) (c) 2.

15 **SECTION 4.** 69.01 (22) of the statutes is amended to read:

16 69.01 (22) "Research" means a systematic study through scientific inquiry for
17 the purpose of expanding a field of knowledge, including ~~but not limited to~~
18 environmental or epidemiological research or special studies, that is conducted by
19 persons who meet criteria for access that are specified in rules promulgated under
20 s. 69.20 (4).

21 **SECTION 5.** 69.01 (26) of the statutes is renumbered 69.01 (26) (intro.) and
22 amended to read:

23 69.01 (26) (intro.) "Vital records" means ~~certificates~~ any of the following:

24 (a) Certificates of birth, death, and divorce or annulment, and marriage
25 documents and data.

1 (c) Data related thereto to documents under par. (a) or worksheets or electronic
2 transmissions under par. (b).

3 **SECTION 6.** 69.01 (26) (b) of the statutes is created to read:

4 69.01 (26) (b) Worksheets or electronic transmissions that use forms or
5 electronic file formats that are approved by the state registrar and are related to
6 documents under par. (a).

7 **SECTION 7.** 69.03 (5) of the statutes is amended to read:

8 69.03 (5) Under this subchapter, accept for registration, assign a date of
9 acceptance, and index and preserve original certificates of birth and death, original
10 marriage documents and original divorce reports. Indexes prepared for public use
11 under s. 69.20 (3) (e) shall consist of the registrant's full name, date of the event,
12 county of occurrence, county of residence, and, at the discretion of the state registrar,
13 state file number. Notwithstanding s. 69.24 (1) (e), the state registrar may transfer
14 the paper original of a vital record to optical disc or electronic format in accordance
15 with s. 16.61 (5) or to microfilm reproduction in accordance with s. 16.61 (6) and
16 destroy the paper original of any vital record that is so converted. For the purposes
17 of this subchapter, the electronic format version or microfilm reproduction version
18 of the paper original of a vital record that has been transferred under this subsection
19 shall serve as the original vital record.

20 **SECTION 8.** 69.06 (2) of the statutes is amended to read:

21 69.06 (2) Make, file, and index an exact copy of every certificate accepted under
22 sub. (1). Indexes prepared for public use under s. 69.20 (3) (e) shall consist of the
23 registrant's full name, date of the event, county of occurrence, county of residence,
24 and, at the discretion of the state registrar, local file number.

25 **SECTION 9.** 69.07 (2) of the statutes is amended to read:

1 69.07 (2) Make, file, and index an exact copy of every vital record accepted
2 under sub. (1) or received under s. 69.05 (3). Indexes prepared for public use under
3 s. 69.20 (3) (e) shall consist of the registrant's full name, date of the event, county of
4 occurrence, county of residence, and, at the discretion of the state registrar, local file
5 number.

6 **SECTION 10.** 69.08 of the statutes is renumbered 69.08 (1), and 69.08 (1) (a), as
7 renumbered, is amended to read:

8 69.08 (1) (a) Is on a form prescribed or supplied for the record by the state
9 registrar.

10 **SECTION 11.** 69.08 (2m) of the statutes is created to read:

11 69.08 (2m) Subsection (1) does not prohibit electronic filing of a vital record
12 under the system of vital statistics.

13 **SECTION 12.** 69.11 (3) (b) 2. of the statutes is amended to read:

14 69.11 (3) (b) 2. Cause of death, if the vital record is a death certificate and if the
15 amendment is accompanied by a statement ~~which~~ that the person who signed the
16 medical certificate ~~part of the death certificate under s. 69.18 (2) certification~~ has
17 submitted to support the amendment.

18 **SECTION 13.** 69.11 (3) (b) 3. of the statutes is repealed.

19 **SECTION 14.** 69.11 (4) (b) of the statutes is amended to read:

20 69.11 (4) (b) ~~If 365 days have elapsed since the occurrence of the event which~~
21 ~~is the subject of a birth certificate, the~~ The state registrar may amend an item on the
22 a birth certificate which that affects information about the name, sex, date of birth,
23 place of birth, parents' surnames parent's name, or marital status of the mother ~~on~~
24 ~~a birth certificate if 365 days have elapsed since the occurrence of the event that is~~
25 the subject of the birth certificate, if the amendment is at the request of a person with

1 a direct and tangible interest in the record and is on a request form supplied by the
2 state registrar, and if the amendment is accompanied by 2 items of documentary
3 evidence from early childhood that are sufficient to prove that the item to be changed
4 is in error and by the affidavit of the person requesting the amendment. A change
5 in the marital status on the birth certificate may be made under this paragraph only
6 if the marital status is inconsistent with information concerning the father or
7 husband that appears on the birth certificate. This paragraph may not be used to
8 add to or delete from a birth certificate the name of a parent or to change the identity
9 of a parent named on the birth certificate.

10 **SECTION 15.** 69.11 (5) (a) 2. of the statutes is repealed and recreated to read:

11 69.11 (5) (a) 2. If the amendment changes the information on the vital record,
12 do all of the following:

13 a. Record the correct information in the relevant area of the vital record.

14 b. Maintain legibility of the changed information by placing a single line
15 through the changed entry, by recording the changed information elsewhere on the
16 legal portion of the vital record, or both.

17 c. Make a notation on the vital record that clearly states that the vital record
18 has been amended and that gives the number of the item corrected, the date of the
19 correction, and the source of the amending information.

20 d. Initial the amendment notation specified in subd. 2. c.

21 **SECTION 16.** 69.12 (5) of the statutes is created to read:

22 69.12 (5) A change in the marital status on the certificate of birth may be
23 requested under this section only if the marital status is inconsistent with father or
24 husband information appearing on the certificate of birth. This section may not be

1 used to add or delete the name of a parent on the certificate of birth or change the
2 identity of either parent named on the certificate of birth.

3 **SECTION 17.** 69.13 of the statutes is created to read:

4 **69.13 Correction of facts misrepresented by informant for certificate**
5 **of birth.** The state registrar may, under an order issued by the circuit court of the
6 county in which a birth occurred, correct information about the parent or the marital
7 status of the mother on a certificate of birth that is registered in this state if all of
8 the following conditions apply:

9 (1) The correction may not be accomplished under s. 69.11, 69.12, or 69.15
10 because the disputed information was misrepresented by the informant during the
11 preparation of the birth certificate.

12 (2) The state registrar receives, on a form prescribed by the state registrar, a
13 court order that is accompanied by all of the following:

14 (a) A petition for correction filed by a person with a direct and tangible interest
15 in the certificate of birth.

16 (b) Certification that all of the following supporting evidence, as listed by the
17 court in the order, was presented in addition to oral testimony:

18 1. A certified copy of the original certificate of birth.

19 2. If the birth occurred in a hospital, a copy of the birth worksheet and any other
20 supporting documentation from the hospital.

21 3. If the birth did not occur in a hospital, a statement from the birth attendant.

22 4. If relevant to the correction sought, a certified copy of a marriage document,
23 a certified copy of a certificate of divorce or annulment or a final divorce decree that
24 indicates that the mother was not married to the person listed as her husband at any

1 time during the pregnancy, a legal name change order, or any other legal document
2 that clarifies the disputed information.

3 5. A statement signed by the certificate of birth informant or the petitioner
4 acknowledging that the disputed information was misrepresented.

5 (c) The supporting evidence specified in par. (b) 1. to 5.

6 (d) The fee specified under s. 69.22 (5) (b) 1.

7 **SECTION 18.** 69.14 (1) (a) 1. of the statutes is amended to read:

8 69.14 (1) (a) 1. Except as provided under subd. 2., a certificate of birth for every
9 birth ~~which that~~ occurs in this state shall be filed ~~in the registration district in which~~
10 ~~the birth occurs~~ within 5 days after the birth and shall be registered with the state
11 registrar, who shall register the birth under this subchapter and shall make a copy
12 of the certificate of birth available to the registration district in which the birth
13 occurred and the registration district in which the mother of the registrant resided
14 at the time of the birth.

15 **SECTION 19.** 69.15 (1) (b) of the statutes is amended to read:

16 69.15 (1) (b) A clerk of court or, for a paternity action, a clerk of court or county
17 child support agency under s. 59.53 (5), sends the state registrar a certified report
18 of an order of a court in this state on a form supplied by the state registrar or, in the
19 case of any other order, the state registrar receives a certified copy of the order and
20 the proper fee under s. 69.22.

21 **SECTION 20.** 69.17 of the statutes is amended to read:

22 **69.17 Divorce report.** At the end of every biweekly period, the clerk of any
23 court which conducts divorce proceedings under ch. 767 shall forward to the state
24 registrar, on a form supplied by the state registrar or in an electronic format that is
25 approved by the state registrar, a report of every divorce or annulment of marriage

1 granted during the biweekly period. The form supplied by the state registrar shall
2 require that the social security numbers of the parties to the divorce or annulment
3 and the social security number of any child of the parties be provided.

4 **SECTION 21.** 69.18 (1) (bm) (intro.) of the statutes is amended to read:

5 69.18 (1) (bm) (intro.) A person required to file a certificate of death under par.
6 (b) shall obtain the information required for the certificate of death from the next of
7 kin or the best qualified person or source available. The person filing the certificate
8 of death shall enter his or her signature on the certificate and include his or her
9 address and the date of signing and shall present or mail the certificate, within 24
10 hours after being notified of the death, to the physician, coroner or medical examiner
11 responsible for completing and signing the medical certification ~~under sub. (2).~~
12 Within 2 days after receipt of the medical certification ~~under sub. (2)~~, the person
13 filing the certificate of death shall mail or present the certificate of death in:

14 **SECTION 22.** 69.18 (1) (c) of the statutes is amended to read:

15 69.18 (1) (c) A hospital ~~or~~, a nursing home, as defined in s. 50.01 (3), or a hospice,
16 as defined in s. 50.90 (1), which is the place of death of a person may prepare a
17 certificate of death for the person and give the certificate to the person who moves
18 the corpse under par. (a).

19 **SECTION 23.** 69.18 (1) (d) of the statutes is amended to read:

20 69.18 (1) (d) A hospital ~~or~~, nursing home, or hospice, as defined in s. 50.90 (1)
21 (c), may not release a corpse to any person under par. (a) unless the person presents
22 a notice of removal on a form prescribed by the state registrar, in duplicate, to the
23 administrator of the hospital ~~or~~, nursing home, or hospice. The administrator shall
24 retain one copy and forward the other copy to the local registrar of the registration
25 district in which the hospital ~~or~~, nursing home, or hospice is located or shall transmit

1 the data electronically in a manner and format that is prescribed by the state
2 registrar.

3 **SECTION 24.** 69.18 (1m) of the statutes is created to read:

4 **69.18 (1m) FORMAT.** Beginning on January 1, 2003, a certificate of death shall
5 consist of the following parts:

6 (a) Fact-of-death information, which shall include all of the following:

7 1. The name and other identifiers of the decedent, including the decedent's
8 social security number, if any.

9 2. The date, time, and place that the decedent was pronounced dead.

10 3. The manner of the decedent's death.

11 4. The identity of the person certifying the death.

12 5. The dates of certification and filing of the certificate of death.

13 (b) Extended fact-of-death information, which includes all of the following:

14 1. All information under par. (a).

15 2. Information on final disposition and cause of death.

16 3. Injury-related data.

17 (c) Statistical-use-only information, which includes all of the following:

18 1. All information other than that under par. (b) that is collected on the
19 standard death record form recommended by the federal agency responsible for
20 national vital statistics.

21 2. Other data, as directed by the state registrar, including race, educational
22 background, and health risk behavior.

23 **SECTION 25.** 69.18 (2) (a) of the statutes is amended to read:

1 69.18 (2) (a) On the form for a certificate of death prescribed by the state
2 registrar under sub. (1) (b), the state registrar shall provide for a ~~separate~~ medical
3 certification ~~section~~ to be completed under this subsection.

4 **SECTION 26.** 69.18 (2) (d) 1. of the statutes is amended to read:

5 69.18 (2) (d) 1. Except as provided under par. (e), if a death is the subject of a
6 coroner's or medical examiner's determination under s. 979.01 or 979.03, the coroner
7 or medical examiner or a physician supervised by a coroner or medical examiner in
8 the county where the event which caused the death occurred shall complete and sign
9 the medical certification ~~part of the death certificate~~ for the death and mail the death
10 certificate within 5 days after the pronouncement of death or present the certificate
11 to the person responsible for filing the death certificate under sub. (1) within 6 days
12 after the pronouncement of death.

13 **SECTION 27.** 69.18 (2) (d) 2. of the statutes is amended to read:

14 69.18 (2) (d) 2. Except as provided under par. (e), if the decedent was not under
15 the care of a physician for the illness or condition from which the person died, the
16 coroner or medical examiner, or a physician supervised by a coroner or medical
17 examiner, in the county of the place of death shall complete and sign the medical
18 certification ~~part of the death certificate~~ for the death and mail the death certificate
19 within 5 days after the pronouncement of death or present the certificate to the
20 person responsible for filing the death certificate under sub. (1) within 6 days after
21 the pronouncement of death.

22 **SECTION 28.** 69.18 (3) (a) of the statutes is amended to read:

23 69.18 (3) (a) Except as provided under par. (c) or (e), the person who has moved
24 a corpse under sub. (1) (a) shall complete a report for final disposition, on a form
25 supplied by the state registrar, and, within 24 hours after being notified of the death,

1 mail or present a copy of the report or transmit the data electronically in a manner
2 and format prescribed by the state registrar to the coroner or medical examiner in
3 the county of the place of death and mail or present a copy or transmit the data
4 electronically in a manner and format prescribed by the state registrar to the local
5 registrar in the registration district of the place of death. If the cause of death is
6 subject to an investigation under s. 979.01 or 979.03, the report for final disposition
7 shall be submitted to the coroner or medical examiner in the county in which the
8 event which caused the death occurred.

9 **SECTION 29.** 69.20 (2) (a) of the statutes is renumbered 69.20 (2) (a) (intro.) and
10 amended to read:

11 69.20 (2) (a) (intro.) Except as provided under sub. (3), information in the part
12 of a ~~birth certificate, of birth or divorce or annulment or a marriage document or~~
13 ~~divorce report~~ that is designated on the form as being collected for statistical or
14 medical and statistical use only and information in the part of a death certificate that
15 is designated on the form as being collected as statistical-use-only information
16 under s. 69.18 (1m) (c) may not be disclosed to any person except the subject
17 following:

18 1. The subject of the information, or, if the subject is a minor, ~~to~~ his or her parent
19 or guardian.

20 **SECTION 30.** 69.20 (2) (a) 2. of the statutes is created to read:

21 69.20 (2) (a) 2. For a certificate of death, any of the persons specified under s.
22 69.18 (4) (a) 1. to 6. or an individual who is authorized in writing by one of the persons.

23 **SECTION 31.** 69.20 (2) (c) of the statutes is created to read:

24 69.20 (2) (c) Except as provided under sub. (3), until 50 years after a decedent's
25 date of death, the state registrar and a local registrar may not permit inspection of

1 or disclose information contained in the portion under s. 69.18 (1m) (b) 2. and 3. of
2 the certificate of death to anyone except to a person specified under s. 69.20 (1), or
3 to a direct descendent of the decedent.

4 **SECTION 32.** 69.20 (3) (e) of the statutes is repealed and recreated to read:

5 69.20 (3) (e) Public use indexes of certificates of birth, death, or divorce or
6 annulment, or marriage documents that are filed in the system of vital statistics at
7 the state or local level are accessible only by inspection at the office of the state
8 registrar or of a local registrar and may not be copied or reproduced except as follows:

9 1. a. Certificate of birth index information may be copied or reproduced for the
10 public only after 100 years have elapsed from the year in which the birth occurred.
11 No information in the index that has been impounded under s. 69.15 may be released.

12 b. Subdivision 1. a. does not apply to certificate of birth indexes of events that
13 occurred before October 1, 1907.

14 2. Indexes of certificates of death or divorce or annulment may be copied or
15 reproduced for the public after 24 months have elapsed from the year in which the
16 event occurred.

17 3. Beginning January 1, 2003, any information that is obtained from an index
18 under subd. 1. or 2. and that is released shall contain the following statement: "This
19 information is not a legal vital record index. Inclusion of any information does not
20 constitute legal verification of the fact of the event."

21 **SECTION 33.** 69.20 (4) of the statutes is amended to read:

22 69.20 (4) The Under procedures that are promulgated by rule, the state
23 registrar and every local registrar shall protect vital records from mutilation,
24 alteration or, theft, or fraudulent use and shall protect the privacy rights of
25 registrants and their families by strictly controlling direct access to any vital record

1 filed or registered in paper or electronic form through ~~procedures promulgated by~~
2 ~~rule.~~

3 **SECTION 34.** 69.21 (1) (a) 2. b. of the statutes is amended to read:

4 69.21 (1) (a) 2. b. Any information of the part of a ~~birth certificate, of birth,~~
5 ~~death, or divorce or annulment or a marriage document or divorce report,~~ the
6 disclosure of which is limited under s. 69.20 (2) (a) and (c), unless the requester is the
7 subject of the information or, for a decedent, unless the requester is specified in s.
8 69.20 (2) (a) 2.

9 **SECTION 35.** 69.21 (1) (b) 4. of the statutes is amended to read:

10 69.21 (1) (b) 4. ~~Any~~ A copy of a death certificate issued under par. (a) for a death
11 that occurred before January 1, 2003, shall include, ~~without limitation due to~~
12 ~~enumeration,~~ the name, sex, date and place of death, age or birth date, cause and
13 manner of death, and social security number, if any, of the decedent, and the file
14 number and the file date of the certificate, except that a requester may, upon request,
15 obtain a copy that does not include the cause of death.

16 **SECTION 36.** 69.21 (1) (b) 5. of the statutes is created to read:

17 69.21 (1) (b) 5. A copy of a death certificate issued under par. (a) for a death that
18 occurs after December 31, 2002, shall be on a form that contains only ~~fact-of-death~~
19 information specified in s. 69.18 (1m) (a), except that a requester may, upon request,
20 obtain a form that contains extended ~~fact-of-death~~ information specified in s. 69.18
21 (1m) (b).

22 **SECTION 37.** 69.22 (1) (intro.) of the statutes is amended to read:

23 69.22 (1) (intro.) The Except as provided in sub. (6), the state registrar and any
24 local registrar acting under this subchapter shall collect the following fees:

25 **SECTION 38.** 69.22 (1) (a) of the statutes is amended to read:

1 69.22 (1) (a) Except as provided under par. (c), \$7 for issuing one certified copy
2 of a vital record and ~~\$2~~ \$3 for any additional certified copy of the same vital record
3 issued at the same time.

4 **SECTION 39.** 69.22 (1) (b) of the statutes is amended to read:

5 69.22 (1) (b) Except as provided under par. (c), \$7 for any uncertified copy of
6 a vital record issued under s. 69.21 (2) (a) or (b) or for verifying information submitted
7 by a requester without issuance of a copy and \$3 for any additional uncertified copy
8 of the same vital record issued at the same time.

9 **SECTION 40.** 69.22 (1) (d) of the statutes is created to read:

10 69.22 (1) (d) In addition to other fees under this subchapter, \$10 for expedited
11 service in issuing a vital record.

12 **SECTION 41.** 69.22 (5) (a) 2. of the statutes is amended to read:

13 69.22 (5) (a) 2. Making ~~alterations~~ any change ordered by a court under s. 69.12
14 (3) or 69.15 (4) (a).

15 **SECTION 42.** 69.22 (5) (a) 3. of the statutes is amended to read:

16 69.22 (5) (a) 3. Making ~~alterations~~ any change in a birth certificate under s.
17 69.15 (3) ~~or (3m)~~.

18 **SECTION 43.** 69.22 (5) (b) 1. of the statutes is amended to read:

19 69.22 (5) (b) 1. Any new vital record registered under s. 69.12 (4), 69.14 (2) (b)
20 ~~6-~~, 69.15 ~~(1), (2), (3) or (4) (3m), (4) (b), or (6)~~, 69.16 (2), or 69.19, or any corrected vital
21 record registered under s. 69.13.

22 **SECTION 44.** 69.22 (6) of the statutes is amended to read:

23 69.22 (6) The state registrar may ~~provide free search and free charge a~~
24 reasonable fee for providing searches of vital records and for providing copies of vital
25 records to state agencies for program use. The register of deeds may provide free

1 searches and free copies to agencies in his or her county at the direction of the county
2 board.

3 **SECTION 45.** 69.24 (2) (b) of the statutes is amended to read:

4 69.24 (2) (b) ~~Wilfully~~ Willfully and knowingly refuses to provide information
5 required under this subchapter for ~~a death certificate or for any part of a birth~~
6 ~~certificate which is not designated as the part for statistical or medical and statistical~~
7 ~~use or for a death certificate.~~

8 **SECTION 46.** 445.13 (1m) (d) of the statutes is amended to read:

9 445.13 (1m) (d) Mail or transmit electronically a report of final disposition
10 required under s. 69.18 (3) (a) before effecting a final disposition, as defined in s.
11 69.01 (11).

12 **SECTION 47.** 765.12 (1) of the statutes is renumbered 765.12 (1) (a) and
13 amended to read:

14 765.12 (1) (a) If ss. 765.02, 765.05, 765.08, and 765.09 are complied with, and
15 if there is no prohibition against or legal objection to the marriage, the county clerk
16 shall issue a marriage license. With each marriage license the county clerk shall
17 provide a pamphlet describing the causes and effects of fetal alcohol syndrome. ~~After~~
18 ~~the application for the marriage license the clerk shall, upon the sworn statement~~
19 ~~of either of the applicants, correct any erroneous, false or insufficient statement in~~
20 ~~the marriage license or in the application therefor which shall come to the clerk's~~
21 ~~attention prior to the marriage and shall show the corrected statement as soon as~~
22 ~~reasonably possible to the other applicant.~~

23 **SECTION 48.** 765.12 (1) (b) of the statutes is created to read:

24 765.12 (1) (b) If, after completion of the marriage license application, one of the
25 applicants notifies the clerk in writing that any of the information provided by that

1 applicant for the license is erroneous, the clerk shall notify the other applicant of the
2 correction as soon as reasonably possible. If the marriage license has not been
3 issued, the clerk shall prepare a new license with the correct information entered.
4 If the marriage license has been issued, the clerk shall immediately send a letter of
5 correction to the state registrar to amend the erroneous information.

6 **SECTION 49.** 765.12 (1) (c) of the statutes is created to read:

7 765.12 (1) (c) If, after completion of the marriage license application, the clerk
8 discovers that correct information has been entered erroneously, the clerk shall, if
9 the marriage license has not been issued, prepare a new license with the correct
10 information correctly entered. If the marriage license has been issued, the clerk shall
11 immediately send a letter of correction to the state registrar to amend the erroneous
12 information.

13 **SECTION 50.** 765.13 of the statutes is amended to read:

14 **765.13 Form of marriage document.** The marriage document shall contain
15 ~~the social security number of each party, as well as any other informational items~~
16 ~~that the department of health and family services determines are necessary and~~
17 ~~shall agree in the main with the standard form recommended by the federal agency~~
18 ~~responsible for national vital statistics. It consist of the marriage license and the~~
19 ~~marriage license worksheet. The marriage license shall contain a notification of the~~
20 ~~time limits of the authorization to marry, a notation that the issue of the marriage~~
21 ~~license shall not be deemed to remove or dispense with any legal disability,~~
22 ~~impediment or prohibition rendering marriage between the parties illegal, and the~~
23 ~~signature of the county clerk, who shall acquire the information for the marriage~~
24 ~~document and enter it in its proper place when the marriage license is issued. The~~
25 ~~marriage license worksheet shall contain the social security number of each party.~~

1 as well as any other information items that the department of health and family
2 services determines are necessary and shall agree in the main with the standard
3 form recommended by the federal agency responsible for national vital statistics.
4 The county clerk shall transmit the marriage license worksheet to the state registrar
5 within 5 days after the date of issuance of the marriage license.

6 **SECTION 51.** 767.62 (5) (b) of the statutes is amended to read:

7 767.62 (5) (b) If a court in a proceeding under par. (a) determines that the man
8 is not the father of the child, the court shall vacate any order entered under sub. (4)
9 with respect to the man. The court or the county child support agency under s. 59.53
10 (5) shall notify the state registrar, in the manner provided in s. 69.15 (1) (b), to remove
11 the man's name as the father of the child from the child's birth certificate. No
12 paternity action may thereafter be brought against the man with respect to the child.

13 **SECTION 9423. Effective dates; health and family services.**

14 (1) DEATH CERTIFICATE MEDICAL CERTIFICATION. The treatment of sections 69.01
15 (16m), 69.11 (3) (b) 2., and 69.18 (1) (bm) (intro.), (2) (a) and (d) 1. and 2. of the
16 statutes, the renumbering and amendment of section 69.20 (2) (a) of the statutes, and
17 the creation of section 60.20 (2) (a) 2. of the statutes take effect on January 1, 2003.

18 (2) VITAL RECORDS FEE INCREASES. The treatment of section 69.22 (1), (2), (5) (a)
19 2. and 3. and (b) 1., and (6) of the statutes takes effect on the first day of the 2nd month
20 beginning after publication.

21 (END)