



2007 DRAFTING REQUEST

Bill

Received: **01/12/2007**

Received By: **dkennedy**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget 7-9546**

By/Representing: **Jablonsky**

This file may be shown to any legislator: **NO**

Drafter: **dkennedy**

May Contact:

Addl. Drafters:

Subject: **Health - vital statistics**

Extra Copies: **GMM, JK**

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to: **robin.ryan@legis.wisconsin.gov**

Pre Topic:

DOA:.....Jablonsky, BB0173 -

Topic:

Vital records fee changes

Instructions:

See Attached

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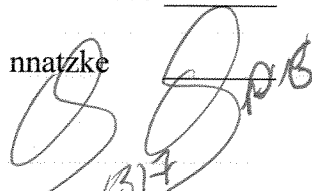
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2007-09 Budget Bill Statutory Language Drafting Request

- Topic: Vital Records
- Tracking Code: BB 0173
- SBO team: Health and Insurance
- SBO analyst: Sue Jablonsky
 - Phone: 7-9546
 - Email: Sue.Jablonsky@wisconsin.gov
- Agency acronym: DHFS
- Agency number: 435

I want to raise the fees for vital records in order to generate revenue to implement an automated vital records system. The fees suggested in the attached issue paper may change depending on Governor's decisions.

(High Priority)

Vital Records Fee Changes

Current Language

s. 69.22

Proposed Change

1. Amend s. 69.22 (1) as shown in attachment to increase fees for vital records.
2. Amend s. 69.22 (2) to change the current \$7 search fee (listed twice) to the same amount that is used for the cost of the first copy of a death, marriage or divorce certificate [69.22 (1) (a)].
3. Restructure s.69.22 (5) to provide certain fees for specific types of changes to current records, as shown in attachment.
4. Repeal and recreate s.69.22 (5) (b) 2 as shown in attachment to correct the current incorrect allocation of the birth certificate fee.
5. Amend s.69.22 to add a proposed section (7) that requires local registrars to provide a certain percentage of their birth certificate fees to the Department.

Background and Rationale for the Change

The State Registrar in DHFS is required by Chapter 69 of the statutes to preserve all vital records. Statutes allow the Department to charge a fee to the public to obtain copies of these records, which are required for a variety of legal purposes. These fees are specified in s.69.22.

Local registrars, primarily counties, also preserve vital records and may provide copies of certain records. Local registrars are allowed to charge the same fee that the state charges for copies of vital records. Under current law, local government retains any revenue from its sale of vital records.

The Department is currently in the process of implementing an online (automated) system which will allow for the electronic filing of vital records. The cost of implementing this system and converting paper records to electronic format exceeds current vital records revenue. These statutory language changes will provide additional revenue through a fee increase to support the implementation of the new system. County revenue from the sale of original and subsequent copies of vital records will be divided between the state and counties until the online system costs are fully paid.

In addition to providing copies of routine records, the Department also processes requests for copies of special records such as a delayed filing, an impounded record, a name change, or a change in paternity information. Current fees for certain copies do not cover the cost of processing these types of copies. The proposed statutory language fee groups the type of changes by their degree of difficulty and assesses a fee which is more consistent with the amount of work required by the record.

Under current statutes, the fee for a delayed birth certificate for non-court ordered (administrative) copy does not include a provision for a portion of the fee to go to the Children's Trust Fund. The proposed repeal and recreation of language in s. 69.22 (5) (b) 2 (fees for filing a non-court ordered delayed birth certificate) corrects this language. The deletion of this language makes the fees for this process uniform and insures that the Children's Trust Fund will receive the statutory fee transfer for issuance of the first copy of a birth certificate for each delayed birth certificate filed in the state (court-ordered or non-court-ordered).

Desired Effective Date: Upon passage of the Biennial Budget Bill
Agency: DHFS
Agency Contact: Ellen Hadidian
Phone: 266-8155

Suggested Amendments to s.69.22

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

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

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

(c) ~~Twelve dollars~~ \$ for issuing an uncertified copy of a birth certificate or a certified copy of a birth certificate, \$7 of which shall be forwarded to the secretary of administration as provided in sub. (1m) and credited to the appropriations under s. 20.433 (1) (g) and (h); and \$3 for issuing any additional certified or uncertified copy of the same birth certificate issued at the same time.

(cm) ~~Ten dollars~~ \$20 for issuing one certified copy of a certificate of birth resulting in stillbirth and \$3 5 for any additional certified copy of the same certificate issued at the same time.

(d) In addition to other fees under this subchapter, \$10 15 for expedited service in issuing a vital record.

(1m) The state registrar and any local registrar acting under this subchapter shall, for each copy of a birth certificate for which a fee under sub. (1) (c) is charged that is issued during a calendar quarter, forward to the secretary of administration for deposit in the appropriations under s. 20.433 (1) (g) and (h) the amounts specified in sub. (1) (c) by the 15th day of the first month following the end of the calendar quarter.

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

(3) If a local registrar under s. 69.11 (4) or 69.14 (2) (b) 6. completes the proper forms for the applicant and submits the forms and proofs to the office of the state registrar, the state registrar and the register of deeds shall receive equal amounts of the fee received for the action.

(4) A local registrar in a registration district may set a reasonable fee to cover the costs of sending requests to local health departments under s. 69.05 (3m).

~~(5) The state registrar shall collect the following fees:~~

~~(a) Ten dollars \$ for:~~

~~1. Making any change under s. 69.11 (4).~~

~~2. Making any change ordered by a court under s. 69.12 (3) or 69.15 (4) (a).~~

~~3. Making any change in a birth certificate under s. 69.15 (3).~~

~~(b) Twenty dollars for:~~

~~1. Any new vital record registered under s. 69.12 (4), 69.14~~

~~(2) (b), 69.15 (2), (3m), (4) (b), or (6), 69.16 (2), or 69.19, or any corrected vital record registered under s. 69.13.~~

~~2. The filing of a birth certificate under s. 69.14 (2) (b) 5. The fee under this subdivision includes the search for the birth certificate and the first copy of the certificate except that the state registrar shall add to the \$20 fee, the \$5 fee required under sub. (1) (c).~~

~~(c) The state registrar may charge a reasonable fee to adequately cover the cost of specialized data collection and data production for research or administrative data requested under s. 69.20.~~

New fee language for (5):

(5) The state registrar shall collect the following fees:

(a) \$20 for:

1. Making any change under s. 69.15 (3) (b) (VPA)

2. Making any change under s. 69.15 (4m) (Under 1 yr. name change)

(b) \$30 for:

1. Making changes under s. 69.11 (4) or s. 69.12 (1), 15(3) (b) (amendments with/without court orders)

2. Making changes under s. 69.15 (3) b 1-2 (Acknowledgment of a Marital Child)

3. Making changes under s. 69.15 (3) (a) 3 (Judgment/adding a father)

(new number) \$30 for impounding a vital record, creating, and registering a new vital record under the following circumstances:

1. A marriage or death certificate under s. 69.12 (4) 2 (court impounding)

2. A birth certificate under s. 69.13 (Misrepresentation)

3. A birth certificate under s. 69.14 (1) (h) (Surrogacy)

4. A birth certificate under s. 69.15 (2) (Adoption)

- 5. A birth certificate under s. 69.15 (3) (a) 1 (Judgment removing a father's name)
- 6. A birth certificate under s. 69.15 (3) (a) 2 (Judgment changing a father's name)
- 7. A birth certificate under s. 69.15 (3m) (VPA rescission)
- 8. A birth certificate under s. 69.15 (4) (Court-ordered legal name change and gender reassignment)

(2nd new number) \$50. for the delayed filing of a vital record under the following circumstances:

- 1. A birth certificate under s. 69.14 (2) (b) 5. or s. 69.14 (2) (b) 6 (Administrative or court ordered)
- 2. A court-ordered marriage certificate under s. 69.16 (2)
- 3. A court-ordered death certificate under s. 69.19

(c) The state registrar may charge a reasonable fee to adequately cover the cost of specialized data collection and data production for research or administrative data requested under s. 69.20.

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

History: 1985 a. 315; 1985 a. 332 s. 253; 1987 a. 27; 1991 a. 39; 1993 a. 16, 27; 1995 a. 27; 1997 a. 191, 210; 2001 a. 16, 106.

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

69.22

(7) (a) Any local registrar acting under this subchapter shall, for each copy of a birth, death or marriage certificate for which a fee under sub. (1) is charged that is issued during a calendar quarter, forward to the secretary of administration for deposit in the appropriations under s. 20.433 (1) (g) and (h) (new appropriations account) by the 15th day of the first month following the end of the calendar quarter, the following amounts:

- 1. \$ __ for each single copy of a birth certificate issued under s. 69.22 (1) (c)
- 2. \$ __ for each single copy of a death or marriage certificate issued under s. 69.22 (1) (a) or (b)
- 3. \$ __ for each additional copy of a vital record issued under s. 69.22 (1)

(b) All fees transferred to the Department of Administration under this subsection shall be used for the state vital records automation project.

(c) This subsection sunsets _____

Ellen:

The following areas need to be addressed in the statutory changes required for proposed vital records fee changes:

1. Basic fee structures already listed in the statute need to be amended to reflect proposed increases in fees. I have attached a copy of s. 69.22 (vital records fees) with the following changes:

1. I bolded and did a strike-through of existing copy fee language, but did not insert the proposed new copy fees since you are still working on them.
2. I am suggesting that we make the listed fees more uniform in format: Some are currently listed as "\$" and some literal (e.g., ten dollars). I can't see any rational reason for the differences and this will make it easier to do a search for fees in an electronic document.
3. I show a change for the expedite fee and the certificate of birth resulting in stillbirth fees to reflect the proposed fee increases for those services.
4. The current \$7 search fee (listed twice) in subsection 2 is bolded and struck-through and will need to be changed to the same amount that is used for the cost of the **first** copy of a death, marriage or divorce certificate [69.22 (1) (a)].
5. I crossed out subsection 5 and restructured it. John and Linda checked it over and we believe we have captured all of the special records proposed fee increases. We also corrected some inaccurate statutory references in the current subsection 5. We deleted the language in (5) (b) 2 that has been causing a lot of problems and there is a drafter's note (see note 7) that explains more about the reason for, and impact of, that change.

2. All references to the 69.22 fees (especially those listed in subsection 5) need to be reviewed for changes. That includes all references within Chapter 69 and any that may appear elsewhere in statutes. I haven't done that (I would think the LRB would want to do that), but I would certainly be willing to if you think I should.

3. An appropriations account needs to be set up for collection of split fees from local registrars.

4. We will need language to coincide with the split fees for the proposed increases. I would think a separate subsection would be best since there will be a sunset clause. Suggested language:

69.22

(7) (a) Any local registrar acting under this subchapter shall, for each copy of a birth, death or marriage certificate for which a fee under sub. (1) is charged that is issued during a calendar quarter, forward to the secretary of administration for deposit in the appropriations under s. ~~20.433 (1) (g) and (h)~~ **(new appropriations account)** by the 15th day of the first month following the end of the calendar quarter, the following amounts:

1. \$ ___ for each single copy of a birth certificate issued under s. 69.22 (1) (c)
2. \$ ___ for each single copy of a death or marriage certificate issued under s. 69.22 (1) (a) or (b)
3. \$ ___ for each additional copy of a vital record issued under s. 69.22 (1)

(b) All fees transferred to the Department of Administration under this subsection shall be used for the state vital records automation project.

(c) This subsection sunsets _____

5. Drafter's Note: We need an implementation date for the fee changes that gives enough lead time for local registrars to make changes to their electronic accounting systems to accommodate the fee splitting. Likewise, our office needs time to reprint and distribute fee increase notices and to reprogram some of our accounting programs. We need a minimum of 60 days but don't want it to go more than 90 days post date of publication. Also, first of the month timing is probably best for all involved in fee transfers. Do you have some language that would cover this scenario?

6. Drafter's Note: The Wisconsin Registers of Deeds Association has agreed in principle to the general concept of vital records fee increases only if those increases are dedicated for use at both the state and local level for vital records improvement projects. They have expressed concern that local fee increases (their half of the split fee increase) should also be **statutorily** dedicated to that purpose. Is this possible?

7. Drafter's Note: We propose the deletion of language in s. 69.22 (5) (b) 2: (fees for filing a non-court ordered delayed birth certificate).

~~The filing of a birth certificate under s. 69.14 (2) (b) 5. The fee under this subdivision includes the search for the birth certificate and the first copy of the certificate except that the state registrar shall add to the \$20 fee, the \$5 fee required under sub. (1) (e).~~

Reason: Setting up a delayed birth certificate for non-court ordered (administrative) and court ordered cases takes substantially the same amount of staff time. However, this provision only applies to non-court ordered cases, so the fees are not the same. In addition, this provision exempts these cases from the fees transferred to the Children's Trust Fund under s. 69.22 (1) c. This has been an issue for the Children's Trust Fund and they have made prior attempts to change this language.

Result: The deletion of this language makes the fees for this process uniform and insures that the Children's Trust Fund will receive the statutory fee transfer for issuance of the first copy of a birth certificate for each delayed birth certificate filed in the state (court-ordered or non-court-ordered).

New fee language for (5):

→ Provided at mtg 1/12/07 w/
Peggy Peterson,
Ellen Hadidian

(5) The state registrar shall collect the following fees:

(a) \$20 for making changes under:

1. s. 69.15 (3) (b) 3 (Voluntary Paternity Acknowledgment)

2. s. 69.15 (4m) (Under 1 yr. name change)

(b) \$30 for making changes under:

1. s. 69.11 (4) (selected amendments to birth records without a court order)

2. s. 69.12 (1), (3), or 5 (with a court order)

3. s. 69.15 (3) (a) 3 (court addition of father)

4. s. 69.15 (3) (b) 1 (acknowledgment of marital child)

5. s. 69.15 (3) (b) 2 (court ordered paternity after death of parent)

6. s. 69.15 (4) (a) (legal name change)

(new number) \$30 for impounding a vital record, creating, and registering a new vital record under the following circumstances:

1. s. 69.12 (4) (marriage or death record)

2. s. 69.13 (Misrepresentation)

3. s. 69.14 (1) (h) (Surrogacy)

4. s. 69.15 (2) (Adoption)

5. s. 69.15 (3) (a) 1 (Judgment removing a father's name)

6. s. 69.15 (3) (a) 2 (Judgment changing a father's name)

7. s. 69.15 (3m) (Voluntary Paternity Acknowledgment rescission)

8. s. 69.15 (4) (b) (Court-ordered legal name change with gender reassignment)

(2nd new number) \$50. for the delayed filing of a vital record under the following circumstances:

1. s. 69.14 (2) (b) 5. or s. 69.14 (2) (b) 6 (Administrative or court ordered delayed birth filing)

2. s. 69.16 (2) (marriage)

3. s. 69.19 (death)

C.L.

69.22 (5)

(a) § 10

69.11 (4) - selected amnds to birth records w/o ct. order

69.12 (3) - court-ordered birth certif ^{corrections} ~~changes~~

69.15 (4)(a) - court-ordered name changes

69.15 (3) - court-ordered birth certificate changes
having to do w/acknowledgment of
paternity

(b) § 20

69.12(4) etc

- registering certain
new ~~vital~~ or
corrected vital records

69.14 (2)(b) 5

- late filing of birth certificate

BILL 69.225

(a) § 20

69.15 (3)(b) 3. - birth certif. change for
voluntary ack of paternity

(4m) - name change w/in 365 days of birth

(b) § 30

69.11 (4) - selected amnds to birth records w/o ct. ^{order}

69.12(1)(3), or (5) - court-ordered amnds to certain ^{records} vital

69.15 (3)(a) 3. - court-ordered adjudications of paternity

(b) 1, 2: - vol. acks of paternity, ct-ordered
paternity after death

69.15 (4)(a) - legal name change

RESEARCH APPENDIX - Draft Transfer/Copy Request Form

- Atty's please complete this form and give to Mike Barman

(Request Made By: DAK) (Date: 1 / 16 / 07)



Please transfer the drafting file for
2005 LRB to the drafting file
for 2007 LRB

The final version of the 2005 draft and the final Request Sheet will be copied on yellow paper, and returned to the original 2005 drafting file. A new cover sheet will be created/included listing the new location of the drafting file's "guts".

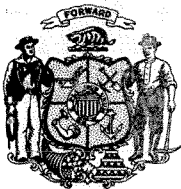
For research purposes, because the 2005 draft was incorporated into a 2007 draft, the complete drafting file will be transferred, as a separate appendix, to the new 2007 drafting file. This request form will be inserted into the "guts" of the 2007 draft. If introduced, the appendix will be scanned/added to the electronic drafting file folder.

-- OR --

Please copy the drafting file for
2007 LRB 0422 / (see bit) (include the version) and place it in the
drafting file for 2007 LRB 1508

For research purposes, because the original 2007 draft was incorporated into another 2007 draft, the original drafting file will be copied on yellow paper (darkened/auto centered/reduced to 90%) and added, as a separate appendix, to the new 2007 drafting file. This request form will be inserted into the "guts" of the new 2007 draft. If introduced the appendix will be scanned/added to the electronic drafting file folder.

The original drafting file will then returned, intact, to its folder and filed. For future reference, a copy of the transfer/copy request form will also be added to the "guts" of the original draft.



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-1508/2 P1

DAK.: kjf

D-NOTE

DOA:.....Jablonsky, BB0173 - Vital records fee changes

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

Don't Gen

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

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

OTHER HEALTH AND HUMAN SERVICES

Currently, the state registrar or a local registrar must charge \$12 for issuing either a certified copy or an uncertified copy of a birth certificate and \$3 for issuing, at the same time, any additional certified or uncertified copy of the same birth certificate. Of the \$12 charged, \$7 must be forwarded to the secretary of administration for deposit in program revenue appropriations for the Child Abuse and Neglect Prevention Board (CANPB), to be used for CANPB expenses, for certain statewide projects, for the Family Resource Center Grant Program, and for technical assistance to organizations. This bill increases the fee for issuance of a certified or uncertified copy of a birth certificate from \$12 to \$20, and increases, from \$7 to 10, the amount that must be forwarded to the secretary of administration for deposit in program revenue appropriation accounts of CANPB. The bill also increases the fee for issuance of an additional certified or uncertified birth certificate copy from \$3 to \$4.

Currently, the state registrar or a local registrar must charge \$10 for issuing one certified copy of a birth certificate for a birth resulting in stillbirth and \$3 for any additional certified copy of the same birth certificate; this bill changes these fees to \$20 and \$5, respectively.

\$10

X

Currently, the state registrar or a local registrar must charge, in addition to other applicable fees, \$20 for expedited service in issuing a vital record (a certificate of birth, death, divorce or annulment, or marriage); this bill changes this fee to \$15.

X

Currently, the state registrar or a local registrar must charge \$10 for making selected amendments to birth records without a court order, making court-ordered corrections to birth certificates, making any change in a birth certificate such as acknowledgment of paternity, and for making court-ordered name changes. The state registrar or a local registrar must charge \$20 for registering certain new or corrected vital records and \$25 for late registration of birth certificates. This bill changes these required fee amounts to the following:

X

1. ① Twenty dollars for amending birth records for voluntary acknowledgment of paternity and for a legal name change within 365 days after birth.

X

2. ② Thirty dollars for selected amendments to birth records without a court order; court-ordered amendments to certain vital records; court-ordered adjudications of paternity or determinations of paternity after death; delayed acknowledgments of paternity; legal name changes; and impounding a vital record or creating and registering a new vital record under certain circumstances.

X

3. ③ Fifty dollars for the delayed filing of certain birth, marriage, or death certificates.

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:

INSERT 2-1

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

2 69.22 (1) (c) ~~Twelve~~ Twenty dollars for issuing an uncertified copy of a birth
3 certificate or a certified copy of a birth certificate, \$7 \$10 of which shall be forwarded
4 to the secretary of administration as provided in sub. (1m) and credited to the
5 appropriations under s. 20.433 (1) (g) and (h); and ~~\$3~~ \$4 for issuing any additional
6 certified or uncertified copy of the same birth certificate issued at the same time.

History: 1985 a. 315; 1985 a. 332 s. 253; 1987 a. 27; 1991 a. 39; 1993 a. 16, 27; 1995 a. 27; 1997 a. 191, 210; 2001 a. 16, 106; 2003 a. 33, 300.

7 SECTION 2. 69.22 (1) (cm) of the statutes is amended to read:

8 69.22 (1) (cm) ~~Ten~~ Twenty dollars for issuing one certified copy of a certificate
9 of birth resulting in stillbirth and ~~\$3~~ \$5 for any additional certified copy of the same
10 certificate issued at the same time.

History: 1985 a. 315; 1985 a. 332 s. 253; 1987 a. 27; 1991 a. 39; 1993 a. 16, 27; 1995 a. 27; 1997 a. 191, 210; 2001 a. 16, 106; 2003 a. 33, 300.

1 SECTION 3. 69.22 (1) (d) of the statutes is amended to read:

2 69.22 (1) (d) In addition to other fees under this subchapter, \$10 ~~\$15~~ for
3 expedited service in issuing a vital record.

4 History: 1985 a. 315; 1985 a. 332 s. 253; 1987 a. 27; 1991 a. 39; 1993 a. 16, 27; 1995 a. 27; 1997 a. 191, 210; 2001 a. 16, 106; 2003 a. 33, 300.

4 SECTION 4. 69.22 (5) (a) of the statutes is repealed and recreated to read:

5 69.22 (5) (a) Twenty dollars for making changes under s. 69.15 (3) (b) 3. or (4m).

6 SECTION 5. 69.22 (5) (b) of the statutes is repealed and recreated to read:

7 69.22 (5) (b) Thirty dollars for making a change under s. 69.11 (4), 69.12 (1),

8 (3), or (5), ~~69.15 (3) (a) 3., (b) 1. or 2., or (4) (a).~~

9 SECTION 6. 69.22 (5) (bg) of the statutes is created to read:

10 69.22 (5) (bg) Thirty dollars for impounding a vital record or creating or

11 registering a new vital record under s. 69.12 (4), 69.13, 69.14 (1) (h), ~~69.15 (2), (3) (a)~~

12 1. or 2., (3m), or (4) (b).

13 SECTION 7. 69.22 (5) (bj) of the statutes is created to read:

14 69.22 (5) (bj) Fifty dollars for the delayed filing of a vital record under s. 69.14

15 (2) (b) 5. or 6., 69.16 (2), or 69.19.

16 SECTION 9421. Effective dates; Health and Family Services.

17 (1) VITAL RECORDS FEE INCREASES. The treatment of sections 69.22 (1) (c), (cm),

18 and (d) and (5) (a), (b), (bg), and (bj) of the statutes takes effect on the first day of the

19 3rd month beginning after the effective date of this subsection.

20

(END)

D-NOTE

INSERT 2-1

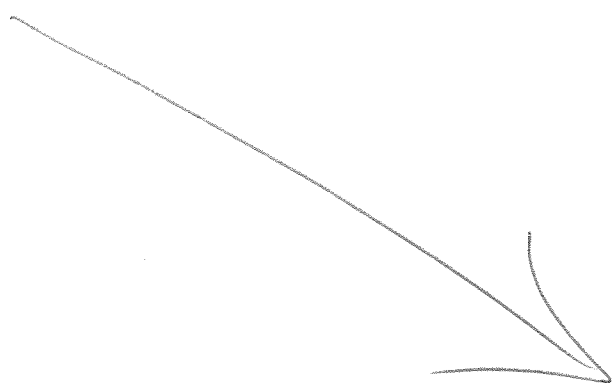
P. 107
3

Section #. 69.12 (1) of the statutes is amended to read:

69.12 (1) If the state registrar cannot make an amendment to a vital record under s. 69.11 and a person with a direct and tangible interest in the vital record alleges that information on the vital record does not represent the actual facts in effect at the time the record was filed, the person may petition the circuit court of the county in which the event which is the subject of the vital record is alleged to have occurred. The petition shall be accompanied by a certified copy of the original vital record. If the court finds that the petitioner has established the actual facts of the event in effect when the record was filed, the clerk of court shall report the court's determination to the state registrar on a form prescribed by the state registrar, along with the fee required under s. 69.22 (5) (a) 2. Upon receipt of the report, the state registrar shall, if information as to the cause of death on an original certificate of death is changed or if information on a marriage certificate concerning the identity of a parent of a party to a marriage is changed, act under sub. (4), or shall change the record under s. 69.11 (5) and send a notice of the change to the local registrar who shall make the change in the record filed in his or her office. This subsection does not apply to a name change prohibited under s. 301.47.

(b)

History: 1985 a. 315; 1993 a. 346; 1995 a. 225; 2001 a. 16; 2003 a. 52; 2005 a. 69.



INSERT 2-1

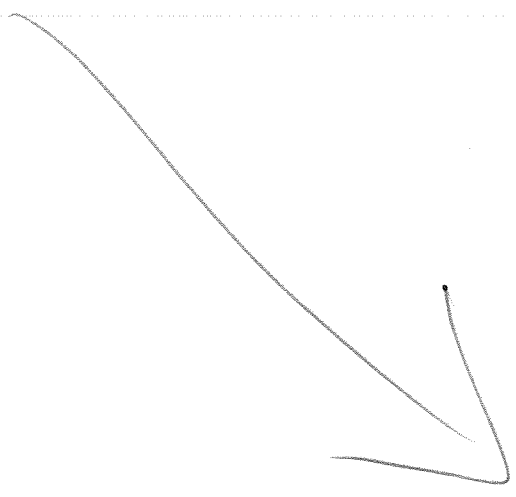
(p. 2 of 3)

Section #. 69.13 (2) (d) of the statutes is amended to read:

69.13 (2) (d) The fee specified under s. 69.22 (5) (b) ~~1~~.

(b) 1

History: 2001 a. 16.



INSERT 2-1

p. 3 of 3

Section #. 69.15 (3) (b) 1. of the statutes is amended to read:

69.15 (3) (b) 1. Except as provided under par. (c), if the state registrar receives a statement acknowledging paternity on a form prescribed by the state registrar and signed by both of the birth parents of a child determined to be a marital child under s. 767.803, a certified copy of the parents' marriage certificate, and the fee required under s. 69.22 (5) (b) ~~to~~ the state registrar shall insert the name of the husband from the marriage certificate as the father if the name of the father was omitted on the original birth certificate. The state registrar shall include on the form for the acknowledgment the items in s. 767.813 (5g).

History: 1985 a. 315; 1987 a. 413; 1989 a. 183; 1993 a. 481; 1995 a. 201, 404; 1997 a. 3, 27, 191; 2001 a. 16, 61; 2003 a. 52; 2005 a. 443 ss. 4, 5, 265.

End of INSERT 2-1

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1508/2dn
DAK:...

PI
kjf

Date

To Sue Jablonsky and Dennis Rhodes:

This preliminary draft combines what I understand is left of Dennis' request for 07-0422/1 (BB0075) after later discussions (namely, the amendment to s. 69.22 (1) (c), stats.) with Sue's request (BB0173); BB0075 should be discontinued.

I have met with DHFS concerning their language proposed for change to s. 69.22 (5), stats.; they have fixed some duplicative cross-references, and, with those changes, that material is included in this draft. I have also delayed the increases by about 60 days.

What is not included in this draft is the creation of new language under ch. 20 or s. 69.22 (7) (including new appropriations that specify split fees) proposed by DHFS; do you want this language? The draft also does not include any other dollar amount changes for fees chargeable under s. 69.22 (1) (a) and (b) and (2), stats. DHFS has given me no changed dollar amounts for these statutes, since they have received no word from DOA as to what they should be. Please review these statutes and let me know whether you wish to have them included in this bill and, if so, what the desired changes are. Also proposed by DHFS was a sunset to proposed s. 69.22 (7); that date is also unspecified, and if you want that language, please specify what it is. Please also review this bill as drafted to ensure that the dollar amounts I have specified are indeed what you want.

Debra A. Kennedy
Managing Attorney
Phone: (608) 266-0137
E-mail: debra.kennedy@legis.wisconsin.gov

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1508/P1dn
DAK:kjf:nwn

January 17, 2007

To Sue Jablonsky and Dennis Rhodes:

This preliminary draft combines what I understand is left of Dennis' request for 07-0422/1 (BB0075) after later discussions (namely, the amendment to s. 69.22 (1) (c), stats.) with Sue's request (BB0173); BB0075 should be discontinued.

I have met with DHFS concerning their language proposed for change to s. 69.22 (5), stats.; they have fixed some duplicative cross-references, and, with those changes, that material is included in this draft. I have also delayed the increases by about 60 days.

What is not included in this draft is the creation of new language under ch. 20 or s. 69.22 (7) (including new appropriations that specify split fees) proposed by DHFS; do you want this language? The draft also does not include any other dollar amount changes for fees chargeable under s. 69.22 (1) (a) and (b) and (2), stats. DHFS has given me no changed dollar amounts for these statutes, since they have received no word from DOA as to what they should be. Please review these statutes and let me know whether you wish to have them included in this bill and, if so, what the desired changes are. Also proposed by DHFS was a sunset to proposed s. 69.22 (7); that date is also unspecified, and if you want that language, please specify what it is. Please also review this bill as drafted to ensure that the dollar amounts I have specified are indeed what you want.

Debora A. Kennedy
Managing Attorney
Phone: (608) 266-0137
E-mail: debora.kennedy@legis.wisconsin.gov

New fee language for (5):

✓ (5) The state registrar shall collect the following fees:

(a) \$20 for making changes under:

1. s. 69.15 (3) (b) 3 (Voluntary Paternity Acknowledgment)

2. s. 69.15 (4m) (Under 1 yr. name change)

40
✓ (b) \$30 for making changes under:

1. s. 69.11 (4) (selected amendments to birth records without a court order)

2. s. 69.12 (1), (3), or 5 (with a court order)

3. s. 69.15 (3) (a) 3 (court addition of father)

4. s. 69.15 (3) (b) 1 (acknowledgment of marital child)

5. s. 69.15 (3) (b) 2 (court ordered paternity after death of parent)

6. s. 69.15 (4) (a) (legal name change)

40
✓ (new number) \$30 for impounding a vital record, creating, and registering a new vital record under the following circumstances:

1. s. 69.12 (4) (marriage or death record)

2. s. 69.13 (Misrepresentation)

3. s. 69.14 (1) (h) (Surrogacy)

4. s. 69.15 (2) (Adoption)

5. s. 69.15 (3) (a) 1 (Judgment removing a father's name)

6. s. 69.15 (3) (a) 2 (Judgment changing a father's name)

7. s. 69.15 (3m) (Voluntary Paternity Acknowledgment rescission)

8. s. 69.15 (4) (b) (Court-ordered legal name change with gender reassignment)

✓ (2nd new number) \$50. for the delayed filing of a vital record under the following circumstances:

1. s. 69.14 (2) (b) 5. or s. 69.14 (2) (b) 6 (Administrative or court ordered delayed birth filing)

2. s. 69.16 (2) (marriage)

3. s. 69.19 (death)

Post-It® Fax Note	7671	Date	# of pages ▶
To	<i>Dubora</i>	From	<i>Sue</i>
Co./Dept.		Co.	
Phone #		Phone #	
Fax #		Fax #	

-1508/

1/22/07 From Sue Jablonsky:
Redraft:

✓ Take \$1,000,000 out of (1)(gm) in each fy
& transfer to (3)(Ky).

There will be fee changes coming, as well

Kennedy, Debora

From: Jablonsky, Sue - DOA
Sent: Tuesday, January 23, 2007 1:13 PM
To: Kennedy, Debora
Cc: Rhodes, Dennis - DOA
Subject: Vital Record Fees

What is stat. section?
69.22(1)(a)? What abt additional copy?

69.22(1)(d)

- ✓ Birth goes to \$20 and the Children's Trust Fund gets \$19 whether it's issued by the state or the county
- ✓ Death, marriage, divorce and expedited service all go to \$20
- ✓ Verification of a certificate goes to \$10
- ✓ Delayed birth goes to \$50
- ✓ Voluntary paternity and under one year name change go to \$20
- ✓ All the other changes in the middle on the cheat sheet I faxed you go to \$40

69.22(1)(b)? What abt. addit copy?

60% of the revenue generated by the county for birth, death, marriage, divorce and additional copies is returned to the state for the automation of vital records.

These are in bill at 69.22(5)(a)

These are in bill at 69.22(5)(b) -
delayed birth, marriage, + death

What about 69.22(2) (search of vital records)?
(has two \$? fees)

All under 69.22?
Except as provided in 69.22(1)(c)?
Approp. to which the money must go?

Kennedy, Debora

From: Jablonsky, Sue - DOA
Sent: Wednesday, January 24, 2007 4:39 PM
To: Kennedy, Debora
Subject: RE: Vital Record Fees

I will send it

From: Kennedy, Debora [mailto:Debora.Kennedy@legis.wisconsin.gov]
Sent: Wednesday, January 24, 2007 3:58 PM
To: Jablonsky, Sue - DOA
Subject: RE: Vital Record Fees

Sue--

I understand that part of this request may change, but, with that possibility in mind, I need to know the following before I can draft it:

1. What is the statutory section for "death, marriage, and divorce"? Is it s. 69.22 (1) (a), stats.? If so, what amount should be charged for an additional copy?
2. What is the statutory section for "verification of a certificate"? Is it s. 69.22 (1) (b), stats.? If so, what amount should be charged for an additional copy?
3. The amount of \$50 for "delayed birth" is already at \$50 in the draft at 69.22 (5) (bj). Is that what you are referring to?
4. The amount of \$20 for "voluntary paternity and under one year name change" is already at \$20 in the draft at s. 69.22 (5) (a). Is that what you are referring to?
5. For the requirement related to "60% of the revenue generated by the county for birth, death, marriage, divorce and additional copies," are all of the provisions you are referring to under s. 69.22, stats.? Shouldn't there be an exception for s. 69.22 (1) (c)? To what appropriation is this money to go?
6. Do you have any fee changes for s. 69.22 (2), stats. (search of vital records), which specifies two separate \$7 fees?

I have not contacted DHFS about these questions. If I need to, could you please forward this e-mail to the appropriate person and tell me who it is?

Debora

From: Jablonsky, Sue - DOA
Sent: Tuesday, January 23, 2007 1:13 PM
To: Kennedy, Debora
Cc: Rhodes, Dennis - DOA
Subject: Vital Record Fees

Birth goes to \$20 and the Children's Trust Fund gets \$19 whether it's issued by the state or the county
 Death, marriage, divorce and expedited service all go to \$20
 Verification of a certificate goes to \$10

01/25/2007

Delayed birth goes to \$50

Voluntary paternity and under one year name change go to \$20

All the other changes in the middle on the cheat sheet I faxed you go to \$40

60% of the revenue generated by the county for birth, death, marriage, divorce and additional copies is returned to the state for the automation of vital records.

Kennedy, Debora

From: Jablonsky, Sue - DOA
Sent: Thursday, January 25, 2007 1:11 PM
To: Kennedy, Debora
Subject: FW: VR language

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

From: Hadidian, Ellen [mailto:HADIDEC@dhfs.state.wi.us]
Sent: Thursday, January 25, 2007 11:51 AM
To: Jablonsky, Sue - DOA
Cc: Kiesow, John A - DHFS; Moore, Donna J - DHFS
Subject: VR language

Sue, one clarification. Questions 5 asked about the amount the state will get from counties. There are also 2 city health depts. that sell VR copies so the language should be sure to include them. thanks

Kennedy, Debora

From: Jablonsky, Sue - DOA
Sent: Thursday, January 25, 2007 11:03 AM
To: Kennedy, Debora
Subject: FW: VR stat language

Attachments: VR, answers to LRB questions.doc



VR, answers to LRB
questions.d...

Fees for copies are \$20. Change 60% of the revenue to 66%. The verification fee is \$10.

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

From: Hadidian, Ellen [mailto:HADIDEC@dhfs.state.wi.us]
Sent: Thursday, January 25, 2007 10:17 AM
To: Jablonsky, Sue - DOA
Cc: Kiesow, John A - DHFS; Moore, Donna J - DHFS
Subject: VR stat language

Sue, here are answers to LRB's questions. Would you please fill in the amount of the fee (whatever today's # are) and forward to Debora? thanks

✓ 1. What is the statutory section for "death, marriage, and divorce"?
Is it s. 69.22 (1) (a), stats.? If so, what amount should be charged
for an additional copy?

s.69.22 (1)(a) = certified copies
s.69.22 (1) (b) = uncertified copies

Additional copies should all be the same amount, for birth, marriage, death, divorce, verification, and cobris.
(Sue, please specify what this is.) (\$20)

✓ 2. What is the statutory section for "verification of a certificate"?
Is it s. 69.22 (1) (b), stats.? If so, what amount should be charged
for an additional copy?

Yes, s.69.22 (1)(b) – the same charge for all additional copies; Sue, please fill in. \$ 10

✓ 3. The amount of \$50 for "delayed birth" is already at \$50 in the draft
at 69.22 (5) (bj). Is that what you are referring to?

Yes, if refers to 69.14 (2)(b) 5 or 6, 69.16 (2), and 69.19.

✓ 4. The amount of \$20 for "voluntary paternity and under one year name
change" is already at \$20 in the draft at s. 69.22 (5) (a). Is that
what you are referring to?

yes

✓ 5. For the requirement related to "60% of the revenue generated by the
county for birth, death, marriage, divorce and additional copies," are
all of the provisions you are referring to under s. 69.22, stats.?
Shouldn't there be an exception for s. 69.22 (1) (c)? To what
appropriation is this money to go?

Please remove "divorce" from this provision. Currently counties do not deal with divorce records. There should be an
exception for s.69.22 (1) (c), which is the CANPB, because the counties are already giving them their share of the fee. All
funds should go into s.20.435 (1)(gm) [app. 126].

✓ 6. Do you have any fee changes for s. 69.22 (2), stats. (search of
vital records), which specifies two separate \$7 fees?

These 2 fees should be the same as the verification fee. (Sue, please fill in this amount.) \$10

1/25/07

- See 69.22 (3m)

To figure which parts of s. 69.22 should be exempted from the 66% request, Sue Jablonsky referred me to John Kiesow, DHS, who conferred w/ Ellen Hadidian

Result: Exempt 69.22 (1) (c), (d), (2) (3) + (4)

From John: unnecessary to exempt divorce records from "vital records" bec. locals don't handle, but cd. clarify

From John: "local registrar" includes cities