

2015 DRAFTING REQUEST

Bill

Received: 1/23/2015 Received By: swalkenh
Wanted: As time permits Same as LRB:
For: Dave Hansen (608) 266-5670 By/Representing: John Wagnitz
May Contact: Drafter: swalkenh
Subject: Health - vital statistics Addl. Drafters:
Extra Copies:

Submit via email: YES
Requester's email: Sen.Hansen@legis.wisconsin.gov
Carbon copy (CC) to: sarah.walkenhorstbarber@legis.wisconsin.gov
tamara.dodge@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Allow vital records to be posted electronically

Instructions:

See attached-redraft of 2013 SB 674

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	swalkenh 2/9/2015	kfollett 2/10/2015		_____			
/1			jfrantze 2/11/2015	_____	srose 2/11/2015	lparisi 2/11/2015	State S&L

FE Sent For:

@INTRO.

<END>

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/?	swalkenh	1/15f 2/10	1/15f 2/10				

FE Sent For:

<END>

Dodge, Tamara

From: Duchek, Michael
Sent: Friday, January 23, 2015 11:16 AM
To: Dodge, Tamara
Subject: Health redraft request

Sen. Hansen has requested a redraft of 2013 SB 674 (vital records). Passing it along. The aide's name is John Wagnitz.
Thanks,

Mike Duchek
Legislative Attorney
Wisconsin Legislative Reference Bureau
(608) 266-0130

Instructions

1. No changes from last time (except as needed to update)
2. Deadline - whenever possible, recognizing re-timing with budget drafting



State of Wisconsin
2013 - 2014 LEGISLATURE

IN 2/9/15
DUE 2/11/15



LRB-3836/1
MED:sac:rs
SWB: jf
1424/1

2013 SENATE BILL 674

March 13, 2014 - Introduced by Senators HANSEN, SCHULTZ, LEHMAN and HARRIS, cosponsored by Representatives GENRICH, WRIGHT, BERCEAU, OHNSTAD, BEWLEY, JACQUE and WEININGER. Referred to Committee on Health and Human Services.

Regen

1 AN ACT to repeal 69.21 (2) (d) 2. and 69.24 (1) (am); to consolidate, renumber
2 and amend 69.21 (2) (a) and (c); to amend 69.21 (2) (d) 1. and 69.24 (1) (a); and
3 to create 69.30 (3) of the statutes, relating to: copying, making available, and
4 required notices on, certain vital records.

Analysis by the Legislative Reference Bureau

Current law contains certain provisions addressing the preparation and issuance of vital records and the authorized copying of vital records. Vital records include certificates of birth, death, divorce, or annulment, and termination of domestic partnership, marriage documents, and declarations of domestic partnership. Some of these provisions make a distinction based upon whether the event that is the subject of a record occurred before October 1, 1907. Current law provides for the issuance of certified and uncertified copies of vital records by the State Registrar appointed by the Department of Health Services (state registrar) or a local registrar, subject to various restrictions, and for the issuance of uncertified copies of vital records for events occurring before October 1, 1907, by other persons, such as the State Historical Society. Certified copies of vital records include a certification including the seal of the issuing officer, are deemed the same as the original vital record, and are regarded as being presumptive evidence of any fact stated in the vital record. Uncertified copies do not have the same status or certification as certified records and have a notice on their face that they are uncertified.

with certain exceptions

SENATE BILL 674

Current law provides that any person who makes available to the public in electronic format an uncertified photocopy of a vital record for an event occurring before October 1, 1907, other than a vital record ^{held} issued by the state registrar or a local registrar, is guilty of a Class I felony. Current law does not specifically prohibit making any other vital records available to the public in electronic format. Current law also provides that, subject to certain exceptions, any person who prepares or issues any paper or film which purports to be, or carries the appearance of, an original or a copy of a vital record, whether certified or uncertified, ^{is also} guilty of a Class I felony.

but it does provide

This bill repeals the prohibition against making certain records for events occurring before October 1, 1907, available in electronic format and specifically provides that any person may copy or make available electronically an uncertified copy of a vital record for an event occurring ^{before} prior to October 1, 1907. In addition, the bill repeals the requirements ^{for} for uncertified copies of vital records for events occurring before October 1, 1907, ~~that they~~ contain a notice that they are uncertified.

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.** 69.21 (2) (a) and (c) of the statutes are consolidated, renumbered
2 69.21 (2) (a) and amended to read:

3 69.21 (2) (a) The state registrar or local registrar shall issue an uncertified copy
4 of the vital record of one or more registrants if the subject of the vital record is an
5 event occurring after September 30, 1907. The requirements of ss. 69.15 (6) (b) and
6 69.20 (3) (b) for disclosing information under s. 69.20 (2) shall apply to issuance
7 under this paragraph of any copy of a vital record containing such information. (e)
8 Any uncertified copy issued under par. (a) or (b) this paragraph shall have on its face
9 a notice that it is uncertified.

10 **SECTION 2.** 69.21 (2) (d) 1. of the statutes is amended to read:

11 69.21 (2) (d) 1. An uncertified photocopy of a vital record for an event occurring
12 before October 1, 1907, other than a vital record held by the state registrar and any
13 local registrar, is subject to this paragraph and ~~may not be made available to the~~

SENATE BILL 674

1 ~~public in electronic format~~, but is not otherwise subject to the limitations of this
2 section or the requirements of s. 69.22.

3 **SECTION 3.** 69.21 (2) (d) 2. of the statutes is repealed.

4 **SECTION 4.** 69.24 (1) (a) of the statutes is amended to read:

5 69.24 (1) (a) Other than as authorized under ~~s.~~ ss. 69.21 (2) (d) and 69.30 (3),
6 prepares or issues any paper or film which purports to be, or carries the appearance
7 of, an original or a copy of a vital record, certified or uncertified, except as provided
8 under this subchapter or s. 610.50 and except for any hospital which issues any
9 written announcement of the birth of a person to the parents of the person if the
10 announcement contains plain notice that the announcement is not for official use.

11 **SECTION 5.** 69.24 (1) (am) of the statutes is repealed.

12 **SECTION 6.** 69.30 (3) of the statutes is created to read:

13 69.30 (3) Any person may copy or may make available electronically an
14 14 uncertified copy of a vital record for an event occurring prior to ^{or before} October 1, 1907, that
15 is issued under s. 69.21 (2) (b) or (d).

16 (END)

Parisi, Lori

From: Wagnitz, John
Sent: Wednesday, February 11, 2015 11:51 AM
To: LRB.Legal
Subject: Draft Review: LRB -1424/1 Topic: Allow vital records to be posted electronically

Please Jacket LRB -1424/1 for the SENATE.