

2015 -- H 5863

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

A N A C T

RELATING TO HEALTH AND SAFETY - VITAL RECORDS

Introduced By: Representatives Ackerman, Shekarchi, Craven, Keable, and Kennedy

Date Introduced: March 12, 2015

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 23-3-23 of the General Laws in Chapter 23-3 entitled "Vital
2 Records" is hereby amended to read as follows:

3 **23-3-23. Disclosure of records.** -- (a) To protect the integrity of vital records, to insure
4 their proper use, and to insure the efficient and proper administration of the vital records system,
5 it shall be unlawful for any person to permit inspection of, or to disclose information contained in,
6 vital records, or to copy, or issue a copy, of all or part of any vital record except as authorized by
7 regulation, [or as provided for herein](#).

8 (b) The director of health may authorize under appropriate safeguards the disclosure of
9 data contained in vital records for research purposes.

10 (c) Information in vital records indicating that a birth occurred out of wedlock shall not
11 be disclosed except as provided by regulation, upon order of a court of competent jurisdiction, or
12 until the record becomes a public record as defined by regulations.

13 (d) Appeals from decisions of the custodians of permanent local records refusing to
14 disclose information, or to permit inspection of or copying of records, of persons born one
15 hundred (100) years before the date of inspection, under the authority of this section and
16 regulation issued under this section, shall be made to the state registrar of vital records.
17 Notwithstanding the provisions of this section, those records shall be open for research to any
18 member of a legally incorporated genealogy society and those societies shall be permitted to
19 incorporate statistics derived from those records in their publications, upon receipt of permission

1 of the director of health; and provided, further, that no person, except the person whose birth is
2 recorded, his or her issue, parent or guardian, spouse, civil union and/or registered domestic
3 partner, grandparent, or sibling; or attorneys at law, title examiners, or members of legally
4 incorporated genealogical societies in the conduct of their official duties as defined in regulations
5 shall have any access to, or be permitted to, examine the original or any copy of the birth
6 certificate or birth record, of any person in the custody of any registrar of vital records or of the
7 state department of health.

8 (e) Title examiners, attorneys, or members of legally incorporated genealogical societies
9 in the conduct of their official duties as defined in regulations, shall be allowed to examine death
10 certificates which have been filed with the department of health and/or municipalities. No fees
11 shall be charged to such persons for the searching or viewing of death certificates, but fees for
12 copies pursuant to §§ 23-1-54 or 23-3-25 shall apply.

13 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO HEALTH AND SAFETY - VITAL RECORDS

1 This act would provide that title examiners, attorneys, and members of legally
2 incorporated genealogical society would be allowed to examine death certificates which have
3 been filed with the department of health and/or municipalities. Fees could be charged to such
4 persons for the copying of said records, but not for searching for said records.

5 This act would take effect upon passage.

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