

CHAPTER 207

HEALTH AND ENVIRONMENT

HOUSE BILL 06-1154

BY REPRESENTATIVE(S) Berens, Cerbo, Rose, Sullivan, Todd, Borodkin, Carroll M., Decker, Kerr J., Pommer, and Frangas;
also SENATOR(S) Hanna, and Shaffer.

AN ACT

CONCERNING THE ISSUANCE OF HEIRLOOM CERTIFICATES, AND MAKING AN APPROPRIATION THEREFOR.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Article 2 of title 25, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

25-2-122. Heirloom birth and marriage certificates - funds created - report - rules - definitions. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "HEIRLOOM BIRTH CERTIFICATE" MEANS A BIRTH CERTIFICATE THAT IS SUITABLE FOR DISPLAY AND MAY BEAR THE SEAL OF THE STATE AND BE SIGNED BY THE GOVERNOR.

(b) "HEIRLOOM MARRIAGE CERTIFICATE" MEANS A MARRIAGE CERTIFICATE THAT IS SUITABLE FOR DISPLAY AND MAY BEAR THE SEAL OF THE STATE AND BE SIGNED BY THE GOVERNOR.

(2) (a) IN ADDITION TO ANY OTHER BIRTH CERTIFICATE ISSUED PURSUANT TO SECTION 25-2-112, THE STATE REGISTRAR SHALL ISSUE, UPON REQUEST AND UPON PAYMENT OF A FEE ESTABLISHED BY RULE OF THE STATE BOARD OF HEALTH, AN HEIRLOOM BIRTH CERTIFICATE REPRESENTING THE BIRTH OF THE INDIVIDUAL NAMED ON THE ORIGINAL BIRTH CERTIFICATE. THE STATE REGISTRAR MAY ESTABLISH PROCEDURES FOR ISSUING HEIRLOOM BIRTH CERTIFICATES; EXCEPT THAT AN HEIRLOOM BIRTH CERTIFICATE SHALL BE ISSUED IN A FORM CONSISTENT WITH THE NEED TO PROTECT THE INTEGRITY OF VITAL RECORDS, INCLUDING SECURE MEASURES DESIGNED TO PREVENT TAMPERING, COUNTERFEITING, OR OTHERWISE DUPLICATING

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

THE BIRTH CERTIFICATE FOR FRAUDULENT PURPOSES, PURSUANT TO THE FEDERAL "INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004", 5 U.S.C. SEC. 301.

(b) AN HEIRLOOM BIRTH CERTIFICATE SHALL HAVE THE SAME STATUS AS EVIDENCE AS THAT OF AN ORIGINAL BIRTH CERTIFICATE.

(c) THE FEE ESTABLISHED PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (2) SHALL BE SUFFICIENT TO COVER THE DIRECT AND INDIRECT COSTS OF PRODUCING AND ISSUING THE HEIRLOOM BIRTH CERTIFICATE, PLUS AN ADDITIONAL TEN DOLLARS. THE STATE REGISTRAR SHALL TRANSMIT MONEYS GENERATED PURSUANT TO THIS SUBSECTION (2), ALONG WITH AN EXPLANATION OF THE NUMBER OF HEIRLOOM BIRTH CERTIFICATE SALES THAT CORRESPOND TO SUCH MONEYS, TO THE STATE TREASURER, WHO SHALL CREDIT:

(I) FOR EACH SALE OF AN HEIRLOOM BIRTH CERTIFICATE, TEN DOLLARS TO THE INFANT IMMUNIZATION FUND CREATED IN SECTION 25-4-1708; AND

(II) THE REMAINDER OF SUCH MONEYS TO THE VITAL STATISTICS RECORDS CASH FUND CREATED IN SECTION 25-2-121.

(3)(a) IN ADDITION TO ANY OTHER MARRIAGE CERTIFICATE ISSUED PURSUANT TO SECTION 25-2-106, THE STATE REGISTRAR SHALL ISSUE, UPON REQUEST AND UPON PAYMENT OF A FEE ESTABLISHED BY RULE OF THE STATE BOARD OF HEALTH, AN HEIRLOOM MARRIAGE CERTIFICATE REPRESENTING THE MARRIAGE OF THE PERSONS NAMED ON THE ORIGINAL MARRIAGE CERTIFICATE RECORDED IN THE COUNTY CLERK AND RECORDER'S OFFICE. THE STATE REGISTRAR MAY ESTABLISH PROCEDURES FOR ISSUING THE HEIRLOOM MARRIAGE CERTIFICATES; EXCEPT THAT AN HEIRLOOM MARRIAGE CERTIFICATE SHALL BE ISSUED IN A FORM CONSISTENT WITH THE NEED TO PROTECT THE INTEGRITY OF VITAL RECORDS.

(b) AN HEIRLOOM MARRIAGE CERTIFICATE SHALL HAVE THE SAME STATUS AS EVIDENCE AS THAT OF AN ORIGINAL MARRIAGE CERTIFICATE.

(c) THE FEE ESTABLISHED PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (3) SHALL BE SUFFICIENT TO COVER THE DIRECT AND INDIRECT COSTS OF PRODUCING AND ISSUING THE HEIRLOOM MARRIAGE CERTIFICATE, PLUS AN ADDITIONAL TEN DOLLARS. THE STATE REGISTRAR SHALL TRANSMIT MONEYS GENERATED PURSUANT TO THIS SUBSECTION (3), ALONG WITH AN EXPLANATION OF THE NUMBER OF HEIRLOOM MARRIAGE CERTIFICATE SALES THAT CORRESPOND TO SUCH MONEYS, TO THE STATE TREASURER, WHO SHALL CREDIT:

(I) FOR EACH SALE OF AN HEIRLOOM MARRIAGE CERTIFICATE, TEN DOLLARS TO THE COLORADO DOMESTIC ABUSE PROGRAM FUND CREATED IN SECTION 39-22-802, C.R.S.; AND

(II) THE REMAINDER OF SUCH MONEYS TO THE VITAL STATISTICS RECORDS CASH FUND CREATED IN SECTION 25-2-121.

SECTION 2. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the vital statistics records cash fund

created in section 25-2-121 (2) (b) (I), Colorado Revised Statutes, not otherwise appropriated, to the department of public health and environment, for allocation to the center for health and environmental information, health statistics and vital records, for the fiscal year beginning July 1, 2006, the sum of twenty-four thousand four hundred dollars (\$24,400), or so much thereof as may be necessary, for the implementation of this act.

SECTION 3. Effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution (August 9, 2006, if adjournment sine die is on May 10, 2006); except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: May 17, 2006