SENATE, No. 1251

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 3, 2020

Sponsored by:
Senator VIN GOPAL
District 11 (Monmouth)

Co-Sponsored by:
Senators Cruz-Perez and Pennacchio

SYNOPSIS

Requires issuance of one free copy of birth certificate to military veteran.

CURRENT VERSION OF TEXT

As introduced.

(Sponsorship Updated As Of: 2/24/2020)

AN ACT concerning birth certificates and amending R.S.26:8-63.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. R.S.26:8-63 is amended to read as follows:

26:8-63. The State registrar shall:

a. Furnish a certification or certified copy of a birth, marriage, civil union, domestic partnership, fetal death or death certificate without fee in the prosecution of any claim for public pension or for military or naval enlistment purposes; and

b. Furnish the United States Public Health Service without expense to the State, microfilm or photocopy images of birth, marriage, civil union, domestic partnership, fetal death and death certificates without payment of the fees prescribed in this article; and

c. Furnish a certified transcript of any entry in the records of the New Jersey State census without fee for certification in the prosecution of any claim for public pension, for military or naval enlistment purposes; and

d. Furnish without fee upon request for administrative use by any city, State or federal agency a certified transcript of any New Jersey State census entry, or a certification or certified copy of a birth, death, fetal death, marriage, civil union or domestic partnership certificate; and

e. Furnish without fee upon request a certified copy of a veteran's death certificate to the veteran's legal representative, the executor or administrator of the veteran's estate, or to a family member authorized to obtain a copy of the death certificate pursuant to subsection a. of R.S.26:8-62. No more than one copy of a veteran's death certificate may be provided without fee pursuant to this subsection; all other copies of the death certificate shall be subject to the statutory fee; and

f. Furnish without fee upon request by a person who is homeless a certified copy of the person's birth certificate, provided that the person submits the request through a social worker or the coordinator of the emergency shelter for the homeless where the person is temporarily residing. The request shall be transmitted on the emergency shelter's letterhead and shall include the shelter's employer identification number and an attestation by the coordinator that the person requesting the certificate is currently homeless and residing at the shelter or the request shall be submitted on the social worker's agency or professional practice letterhead and shall include the agency's or the professional practice's employer identification number and an attestation by the

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined <u>thus</u> is new matter.

social worker that the person requesting the certificate is currently homeless. A certified copy of a birth certificate furnished pursuant to this subsection shall be transmitted to the social worker or coordinator who transmitted the request. No more than one certified copy of a birth certificate furnished to a person who is homeless pursuant to this subsection shall be provided without fee; all other copies of the birth certificate shall be subject to the statutory fee. On or before December 31 of each year, the State Registrar shall report to the Office of Homelessness Prevention in the Department of Community Affairs an accounting of each instance in which the State Registrar furnished without fee a certified copy of a person's birth certificate pursuant to this subsection; and

g. Furnish, without fee, and upon the request of a veteran who was born in this State, a certified copy of the veteran's birth certificate. No more than one certified copy of a birth certificate shall be furnished to a veteran without fee pursuant to this subsection. All other copies of the birth certificate shall be subject to the statutory fee.

As used in this section:

"Fee" includes, but is not limited to, any search, certification, processing, authentication, standard shipping, or other fees that would ordinarily be assessed to furnish a certified copy of a certificate or transcript**[**; and**]**.

"Person who is homeless " means a person without a domicile who is unable to secure permanent and stable housing as determined by a social worker or the coordinator of an emergency shelter for the homeless established pursuant to P.L.1985, c.48 (C.55:13C-1 et seq.).

"Veteran" means any individual who has been discharged or released from service in any branch of the Armed Forces of the United States, or any discharged member of the American Merchant Marine who served during World War II and is declared by the United States Department of Defense to be eligible for federal veterans' benefits. "Veteran" shall not include an individual discharged or released under dishonorable circumstances.

(cf: P.L.2019, c.73, s.5.)

2. The Commissioner of Health shall, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), promulgate rules and regulations to effectuate the provisions of this act.

3. This act shall take effect immediately.

STATEMENT

This bill requires the issuance of one free copy of a birth certificate to a military veteran. Under the bill, a current or former member of the Armed Forces of the United States or the National Guard is to be eligible to receive one certified copy of his or her birth certificate upon request. Additional copies of the birth certificate are to be subject to the regular statutory fee.

As used in the bill, "veteran" means any individual who has been discharged or released from service in any branch of the Armed Forces of the United States, or any discharged member of the American Merchant Marine who served during World War II and is declared by the United States Department of Defense to be eligible for federal veterans' benefits. "Veteran" is not to include an individual discharged or released under dishonorable circumstances.