

SENATE, No. 2891

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED SEPTEMBER 14, 2020

Sponsored by:

Senator NELLIE POU

District 35 (Bergen and Passaic)

SYNOPSIS

Requires State registrar to provide and facilitate county surrogate access to vital statistics records in order to conduct business with county surrogate's court.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning vital statistics records and amending R.S.26:8-
2 24.

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

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7 1. R.S.26:8-24 is amended to read as follows:

8 26:8-24. The State registrar shall:

9 a. Have general supervision throughout the State of the
10 registration of vital records;

11 b. Have supervisory power over local registrars, deputy local
12 registrars, alternate deputy local registrars, and subregistrars, in the
13 enforcement of the law relative to the disposal of dead bodies and
14 the registration of vital records;

15 c. Prepare, print, and supply to all registrars, upon request
16 therefor, all blanks and forms used in registering the records
17 required by said law, and provide for and prescribe the use of the
18 NJ-EDRS or any successor vital reporting system. The blanks and
19 forms supplied under this subsection, and any electronic blanks and
20 forms that are used in the NJ-EDRS, shall require the person
21 registering a birth or death record, at a minimum, to provide the
22 same information as is required by the National Center for Vital
23 Health Statistics in its standardized U.S. certificates of live birth,
24 death, and fetal death. No blanks, forms, or methods of registration
25 shall be used, other than those that satisfy the requirements of this
26 subsection, and which are supplied or approved by the State
27 registrar;

28 d. Carefully examine the certificates or electronic files received
29 periodically from the local registrars or originating from their
30 jurisdiction; and, if any are incomplete or unsatisfactory, require
31 such further information to be supplied as may be necessary to
32 make the record complete and satisfactory;

33 e. Arrange or bind, and permanently preserve the certificates of
34 vital records, or the information comprising those records, in a
35 systematic manner and in a form that is deemed most consistent
36 with contemporary and developing standards of vital statistical
37 archival record keeping;

38 f. Prepare and maintain a comprehensive and continuous index
39 of all vital records registered, the index to be arranged
40 alphabetically:

41 1. In the case of deaths, by the name of the decedent;

42 2. In the case of births, by the name of child, if given, and if
43 not, then by the name of father or mother;

44 3. In the case of marriages, by the surname of the husband and
45 also by the maiden name of the wife;

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 thus is new matter.

5. In the case of domestic partnerships, by the surname of each of the partners;

h. Develop and provide to local registrars an education and training program, which the State registrar may require each local registrar to complete as a condition of retaining that position, and which may be offered to deputy local registrars, alternate deputy local registrars and subregistrars at the discretion of the State registrar, that includes material designed to implement the NJ-EDRS and to familiarize local registrars with the statutory requirements applicable to their duties and any rules and regulations adopted pursuant thereto, as deemed appropriate by the State registrar;

j. Facilitate the provision of relevant statistical data on maternal deaths to the Maternal Mortality Review Committee, in accordance with the provisions of section 12 of P.L.2019, c.75 (C.26:6C-12); and

(cf: P.L.2019, c.75, s.13)

2. The Commissioner of Health shall adopt rules and regulations in accordance with the "Administrative Procedure Act," P.L.1968, c.410 (C52:14B-1 et seq.) as necessary to implement the provisions of this act.

3. This act shall take effect immediately.

This bill requires the State registrar in the Department of Health to permit, upon the request of a county surrogate on behalf of the county

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1 surrogate's court, a county surrogate to have real-time access, and to
2 facilitate a county surrogate's access, to the necessary vital statistics
3 records, such as a death certificate, in order for the county surrogate to
4 conduct any necessary business with the county surrogate's court.
5 Under current law, the following persons are authorized to obtain and
6 receive a certified copy of a death certificate from a registrar: the
7 parent, legal guardian or other legal representative of the subject of
8 that record; the subject's spouse, child, grandchild or sibling, if of legal
9 age, or the subject's legal representative; an agency of State or federal
10 government for official purposes; a person possessing an order of a
11 court of competent jurisdiction; or a person who is authorized under
12 other emergent circumstances as determined by the commissioner.