

HOUSE No. 1962

The Commonwealth of Massachusetts

PRESENTED BY:

Denise C. Garlick

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to the vital records trust fund.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Denise C. Garlick

13th Norfolk

Denise Provost

27th Middlesex

HOUSE No. 1962

By Ms. Garlick of Needham, a petition (accompanied by bill, House, No. 1962) of Denise C. Garlick and Denise Provost for legislation to establish the vital records trust fund. Public Health.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act relative to the vital records trust fund.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. The second paragraph of Section 33 of Chapter 46 of the General Laws, as
2 appearing in the 2012 Official Edition, is hereby amended by adding the following 2 sentences:-

3 This fee shall be determined annually by the secretary of administration and finance
4 under Section 3B of Chapter 7. Notwithstanding any other general or special law to the contrary,
5 the first \$20 of this fee received by the town or city clerk that issues a certified copy from the
6 database shall be retained by the town or city and the remainder shall be paid to the
7 Commonwealth and transmitted to the Secure Vital Registry Trust Fund.

8
9 SECTION 2. Chapter 46 is hereby further amended by inserting after Section 34 the
10 following section:-

11

12 Section 35. There shall be established on the books of the Commonwealth a separate fund
13 known as the Secure Vital Registry Trust Fund, to be expended without further appropriation, by
14 the department of public health. The trust shall consist of revenues generated from fees collected
15 after July 1, 2015, as authorized by Section 3B of Chapter 7 and paid to the Commonwealth
16 pursuant to Section 33 of this chapter. Unless a greater amount is authorized by law, the fund
17 may also consist of revenues collected by the Commonwealth including: (i) any revenue from
18 appropriations or other monies authorized by the general court and specifically designated to be
19 credited to the fund; (ii) any funds from public and private sources, including gifts, grants and
20 donations; (iii) any interest earned on such revenues; and (iv) any funds provided from other
21 sources. The commissioner of public health or a designee shall be the trustee of the fund and
22 shall make expenditures from the fund for the administrative costs of development, maintenance
23 and operation of a centralized, automated database for the system of vital records and statistics.
24 The department may incur expenses, and the comptroller may certify for payment amounts in
25 anticipation of expected receipts; provided however, that no expenditure shall be made from the
26 fund which shall cause the fund to be in deficit at the close of a fiscal year. Monies deposited in
27 the trust fund that are unexpended at the end of a fiscal year shall not revert to the General Fund.