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SENATE BILL 452

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Shannon Robinson

AN ACT

RELATING TO VITAL RECORDS; REVISING THE FEES FOR COPIES AND SEARCHES OF VITAL RECORDS; CREATING A FUND; AMENDING AND ENACTING SECTIONS OF THE NMSA 1978; MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 24-14-29 NMSA 1978 (being Laws 1961, Chapter 44, Section 27, as amended) is amended to read:

"24-14-29. FEES FOR COPIES AND SEARCHES. --

A. The fee for each search of a vital record to produce a certified copy of a birth certificate shall be [~~ten~~ dollars (\$10.00)] established by rule promulgated by the department and shall include one certified copy of the record, if available.

B. The fee for the establishment of a delayed record or for the revision or amendment of a vital record, as a

underscored material = new
[bracketed material] = delete

1 result of an adoption, a legitimation, a correction or other
2 court-ordered change to a vital record, shall be [~~ten dollars~~
3 ~~(\$10.00)~~] established by rule promulgated by the department.

4 The fee shall include one certified copy of the delayed record.

5 C. The fee for each search of a vital record to
6 produce a certified copy of a death certificate shall be [~~five~~
7 ~~dollars (\$5.00)~~] established by rule promulgated by the
8 department and shall include one certified copy of the record,
9 if available.

10 D. Revenue from the fees imposed in this section
11 shall be distributed as follows:

12 (1) an amount equal to thirty-five percent of
13 the revenue from the fees imposed by Subsections A through C of
14 this section shall be distributed to the e-vital fund;

15 [~~(1)~~] (2) an amount equal to [~~three-fifths~~]
16 thirty-five percent of the revenue from the fee imposed by
17 Subsection A of this section, an amount equal to [~~one-half~~] ten
18 percent of the revenue from the fee imposed by Subsection B of
19 this section and an amount equal to [~~one-fifth~~] thirty percent
20 of the revenue from the fee imposed by Subsection C of this
21 section shall be distributed to the day-care fund; and

22 [~~(2)~~] (3) the remainder of the revenue from
23 the fees imposed by Subsections A, B and C of this section
24 shall be deposited in the [~~state~~] general fund."

25 Section 2. [NEW MATERIAL] FUND CREATED. --There is created

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1 in the state treasury the "e-vital fund". The fund shall
2 consist of revenues collected pursuant to Section 24-14-29 NMSA
3 1978. Balances in the e-vital fund are subject to
4 appropriation by the legislature to the department of health
5 for the maintenance of e-vital, the electronic, web-enabled
6 database system being developed for the electronic submission
7 of statewide birth, death and amendments to vital records. Any
8 unexpended or unencumbered balance remaining at the end of a
9 fiscal year shall not revert. Disbursements from the fund
10 shall be made upon warrants drawn by the secretary of finance
11 and administration pursuant to vouchers signed by the secretary
12 of health.

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