

H. 16. An Act Relating to Vital Records

Overview

- Act 46 of 2017 (H.111) required the State Registrar of Vital Records at the Department of Health to establish a Statewide Registration system for birth and death certificates.
- Under Act 46, beginning July 1, 2018, birth and death certificates shall be issued from the Statewide Registration System.
- However, the Department of Health recently determined that the Statewide Registration System will not be available on July 1, 2018.
- To ensure that birth and death certificates are properly issued and to avoid confusion as to whether certificates must be issued under the Statewide Registration System, H.16 delays implementation of Act 46 for one year until July 1, 2019.

Specific Changes

Sec. 1. Amends the Act 46 effective date section to provide that the default effective date for most sections is July 1, 2019.

Sec. 2. Repeal of Act 46 Sections that Reference July 1, 2018

- Amending the effective date section of Act 46 under Sec. 1 of H.16 will delay implementation of most sections of Act 46, but several sections of Act 46 include text referencing the July 1, 2018 implementation date—i.e. July 1, 2018 is embedded in the text of the section.
- However, because these sections are not yet effective, it is difficult to amend the embedded dates.
- Instead of trying to amend the embedded dates, H.16 repeals the sections of Act 46 with embedded dates and re-enacts them in Sections 4 through 10 with July 1, 2019 replacing the July 1, 2018 date.

Sec. 3. 18 VSA 5000(c).

- One section of Act 46 with the embedded July 1, 2018 date – 18 V.S.A. § 5000--went into effect partly on passage and partly on July 1, 2018.
- The part of the section that went into effect on passage was the rulemaking section, which the Department of Health has already implemented.
- The part of the section that goes into effect July 1, 2018 included the embedded date.
- So, unlike the other sections with embedded text where the entire section could be repealed and reenacted, the change to 18 V.S.A. § 5000 must be accomplished in a different manner.
- Sec. 3 changes the embedded date in 18 V.S.A. § 5000(c)(2) from July 1, 2018 to July 1, 2019.
- Then, the effective date section of H.16, Sec. 11, provides that the amendment to 18 V.S.A. 5000(c)(2) made by H.16 shall supersede the amendment to 18 V.S.A. § 5000(c) made by Act 46.
- The rest of 18 V.S.A. § 5000 that is not already effective will go into effect July 1, 2019 under the Sec. 1 change to the default effective date of H.46.