

2001 SESSION

INTRODUCED

010592608

HOUSE BILL NO. 2227

Offered January 10, 2001

Prefiled January 10, 2001

A BILL to amend and reenact § 32.1-271 of the Code of Virginia, relating to vital records.

Patron—Almand

Referred to Committee on Health, Welfare and Institutions

Be it enacted by the General Assembly of Virginia:

1. That § 32.1-271 of the Code of Virginia is amended and reenacted as follows:

§ 32.1-271. Disclosure of information in records; when unlawful; when permitted; proceeding to compel disclosure; when certain records made public.

A. To protect the integrity of vital records and to ensure the efficient and proper administration of the system of vital records, it shall be unlawful, notwithstanding the provisions of §§ 2.1-340.1 through 2.1-346.1, for any person to permit inspection of or to disclose information contained in vital records or to copy or issue a copy of all or part of any such vital records except as authorized by regulation of the Board or when so ordered by a court of this Commonwealth.

B. Upon request, the State Registrar or the city or county registrar shall disclose or issue certified copies of death records or information when satisfied that the applicant therefor has a direct and tangible interest in the content of the record and that the information contained therein is necessary for the determination or protection of personal or property rights. A direct and tangible interest may be evidenced by requests from surviving relatives or their legal representatives, or a legal beneficiary.

C. Data contained in vital records may be disclosed for valid and substantial research purposes in accordance with the regulations of the Board.

D. Any person aggrieved by a decision of a county or city registrar may appeal to the State Registrar. If the State Registrar denies disclosure of information or inspection of or copying of vital records, such person may petition the court of the county or city in which he resides if he resides in the Commonwealth or in which the recorded event occurred or the Circuit Court of the City of Richmond, Division I, for an order compelling disclosure, inspection or copying of such vital record. The State Registrar or his authorized representative may appear and testify in such proceeding.

E. When 100 years have elapsed after the date of birth, or 50 years have elapsed after the date of death, marriage, or divorce, the records of these events in the custody of the State Registrar may become public information and be made available in accordance with regulations which shall provide for the continued safekeeping of the records. All records, which are public information on July 1, 1983, shall continue to be public information.

INTRODUCED

HB2227