

[First Reprint]

ASSEMBLY, No. 1024

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

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District 11 (Monmouth)

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District 28 (Essex)

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SYNOPSIS

Requires issuance of one free copy of birth certificate to military veteran.

CURRENT VERSION OF TEXT

As reported by the Assembly Military and Veterans' Affairs Committee on November 8, 2021, with amendments.



(Sponsorship Updated As Of: 12/20/2021)

1 AN ACT concerning birth certificates and amending R.S.26:8-63.

2

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

5

6 ¹**[**1. R.S.26:8-63 is amended to read as follows:

7 26:8-63. The State registrar shall:

8 a. Furnish a certification or certified copy of a birth, marriage,
9 civil union, domestic partnership, fetal death or death certificate
10 without fee in the prosecution of any claim for public pension or for
11 military or naval enlistment purposes; and

12 b. Furnish the United States Public Health Service without
13 expense to the State, microfilm or photocopy images of birth,
14 marriage, civil union, domestic partnership, fetal death and death
15 certificates without payment of the fees prescribed in this article;
16 and

17 c. Furnish a certified transcript of any entry in the records of
18 the New Jersey State census without fee for certification in the
19 prosecution of any claim for public pension, for military or naval
20 enlistment purposes; and

21 d. Furnish without fee upon request for administrative use by
22 any city, State or federal agency a certified transcript of any New
23 Jersey State census entry, or a certification or certified copy of a
24 birth, death, fetal death, marriage, civil union or domestic
25 partnership certificate; and

26 e. Furnish without fee upon request a certified copy of a
27 veteran's death certificate to the veteran's legal representative, the
28 executor or administrator of the veteran's estate, or to a family
29 member authorized to obtain a copy of the death certificate pursuant
30 to subsection a. of R.S.26:8-62. No more than one copy of a
31 veteran's death certificate may be provided without fee pursuant to
32 this subsection; all other copies of the death certificate shall be
33 subject to the statutory fee; and

34 f. Furnish without fee upon request by a homeless person a
35 certified copy of the person's birth certificate, provided that the
36 person submits the request through a social worker or the
37 coordinator of the emergency shelter for the homeless where the
38 person is temporarily residing. The request shall be transmitted on
39 the emergency shelter's letterhead and shall include the shelter's
40 employer identification number and an attestation by the
41 coordinator that the person requesting the certificate is currently
42 homeless and residing at the shelter or the request shall be
43 submitted on the social worker's agency or professional practice
44 letterhead and shall include the agency's or the professional

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AMV committee amendments adopted November 8, 2021.

1 practice's employer identification number and an attestation by the
2 social worker that the person requesting the certificate is currently
3 homeless. A certified copy of a birth certificate furnished pursuant
4 to this subsection shall be transmitted to the social worker or
5 coordinator who transmitted the request. No more than one
6 certified copy of a birth certificate furnished to a homeless person
7 pursuant to this subsection shall be provided without fee; all other
8 copies of the birth certificate shall be subject to the statutory fee;
9 and

10 g. Furnish, without fee, and upon the request of a veteran who
11 was born in this State, a certified copy of the veteran's birth
12 certificate. No more than one certified copy of a birth certificate
13 shall be furnished to a veteran without fee pursuant to this
14 subsection. All other copies of the birth certificate shall be subject
15 to the statutory fee.

16 As used in this section:

17 "Fee" includes, but is not limited to, any search, certification,
18 processing, authentication, standard shipping, or other fees that
19 would ordinarily be assessed to furnish a certified copy of a
20 certificate or transcript【; and】.

21 "Homeless person" means a person without a domicile who is
22 unable to secure permanent and stable housing as determined by a
23 social worker or the coordinator of an emergency shelter for the
24 homeless established pursuant to P.L.1985, c.48 (C.55:13C-1 et
25 seq.).

26 "Veteran" means any individual who has been discharged or
27 released from service in any branch of the Armed Forces of the
28 United States, or any discharged member of the American Merchant
29 Marine who served during World War II and is declared by the
30 United States Department of Defense to be eligible for federal
31 veterans' benefits. "Veteran" shall not include an individual
32 discharged or released under dishonorable circumstances.

33 (cf: P.L.2016, c.98, s.1)】¹

34

35 ¹1. R.S.26:8-63 is amended to read as follows:

36 26:8-63. The State registrar shall:

37 a. Furnish a certification or certified copy of a birth, marriage,
38 civil union, domestic partnership, fetal death or death certificate
39 without fee in the prosecution of any claim for public pension or for
40 military or naval enlistment purposes; and

41 b. Furnish the United States Public Health Service without
42 expense to the State, microfilm or photocopy images of birth,
43 marriage, civil union, domestic partnership, fetal death and death
44 certificates without payment of the fees prescribed in this article;
45 and

46 c. Furnish a certified transcript of any entry in the records of
47 the New Jersey State census without fee for certification in the

- 1 prosecution of any claim for public pension, for military or naval
2 enlistment purposes; and
- 3 d. Furnish without fee upon request for administrative use by
4 any city, State or federal agency a certified transcript of any New
5 Jersey State census entry, or a certification or certified copy of a
6 birth, death, fetal death, marriage, civil union or domestic
7 partnership certificate; and
- 8 e. Furnish without fee upon request a certified copy of a
9 veteran's death certificate to the veteran's legal representative, the
10 executor or administrator of the veteran's estate, to a family member
11 authorized to obtain a copy of the death certificate pursuant to
12 subsection a. of R.S.26:8-62, or to a qualified veterans' organization
13 which takes possession of a veteran's cremains with the intention of
14 properly disposing of them pursuant to section 2 of P.L.1983, c.385
15 (C.26:7-18.2). No more than one copy of a veteran's death
16 certificate may be provided without fee pursuant to this subsection;
17 all other copies of the death certificate shall be subject to the
18 statutory fee; **[and]**
- 19 f. Furnish without fee upon request by a person who is
20 homeless a certified copy of the person's birth certificate, provided
21 that the person submits the request through a social worker or the
22 coordinator of the emergency shelter for the homeless where the
23 person is temporarily residing. The request shall be transmitted on
24 the emergency shelter's letterhead and shall include the shelter's
25 employer identification number and an attestation by the
26 coordinator that the person requesting the certificate is currently
27 homeless and residing at the shelter or the request shall be
28 submitted on the social worker's agency or professional practice
29 letterhead and shall include the agency's or the professional
30 practice's employer identification number and an attestation by the
31 social worker that the person requesting the certificate is currently
32 homeless. A certified copy of a birth certificate furnished pursuant
33 to this subsection shall be transmitted to the social worker or
34 coordinator who transmitted the request. No more than one
35 certified copy of a birth certificate furnished to a person who is
36 homeless pursuant to this subsection shall be provided without fee;
37 all other copies of the birth certificate shall be subject to the
38 statutory fee. On or before December 31 of each year, the State
39 Registrar shall report to the Office of Homelessness Prevention in
40 the Department of Community Affairs an accounting of each
41 instance in which the State Registrar furnished without fee a
42 certified copy of a person's birth certificate pursuant to this
43 subsection; and
- 44 g. Furnish, without fee, and upon the request of a veteran who
45 was born in this State, a certified copy of the veteran's birth
46 certificate. This subsection shall only apply to requests made to the
47 State registrar, and no more than one certified copy of a birth
48 certificate shall be furnished to a veteran without fee pursuant to

1 this subsection. All other copies of the birth certificate shall be
2 subject to the statutory fee.

3 As used in this section:

4 "Fee" includes, but is not limited to, any search, certification,
5 processing, authentication, standard shipping, or other fees that
6 would ordinarily be assessed to furnish a certified copy of a
7 certificate or transcript **【**; and**】** .

8 "Person who is homeless" means a person without a domicile
9 who is unable to secure permanent and stable housing as determined
10 by a social worker or the coordinator of an emergency shelter for
11 the homeless established pursuant to P.L.1985, c.48 (C.55:13C-1 et
12 seq.).

13 "Veteran" means any individual who has been discharged or
14 released from service in any branch of the Armed Forces of the
15 United States, or any discharged member of the American Merchant
16 Marine who served during World War II and is declared by the
17 United States Department of Defense to be eligible for federal
18 veterans' benefits. "Veteran" shall not include an individual
19 discharged or released under dishonorable circumstances.¹

20 (cf: P.L.2021, c.37, s.2)

21

22 2. The Commissioner of Health shall, pursuant to the
23 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
24 seq.), promulgate rules and regulations to effectuate the provisions
25 of this act.

26

27 3. This act shall take effect immediately.