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Vital Records Access Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jen Plumb

House Sponsor:

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LONG TITLE

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General Description:

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This bill addresses who may obtain a vital record.

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Highlighted Provisions:

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This bill:

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- ▶ allows a liaison for a homeless youth or child to obtain the minor's vital records on behalf of the homeless youth or child.

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Money Appropriated in this Bill:

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None

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Other Special Clauses:

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None

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Utah Code Sections Affected:

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AMENDS:

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26B-8-125, as last amended by Laws of Utah 2025, Chapter 133

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Be it enacted by the Legislature of the state of Utah:

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Section 1. Section **26B-8-125** is amended to read:

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26B-8-125 . Inspection of vital records.

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(1) As used in this section:

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(a) "Designated legal representative" means an attorney, physician, funeral service director, genealogist, or other agent of the subject, or an immediate family member of the subject, who has been delegated the authority to access vital records.

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(b) "Drug use intervention or suicide prevention effort" means a program that studies or promotes the prevention of drug overdose deaths or suicides in the state.

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(c) "Immediate family member" means a spouse, child, parent, sibling, grandparent, or grandchild.

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(d) "Pre-existing parent" means the same as that term is defined in Section 81-13-101.

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(2)(a) The vital records shall be open to inspection, but only in compliance with the

provisions of this part, department rules, and Sections 81-13-103 and 81-13-504.

(b) It is unlawful for any state or local officer or employee to disclose data contained in vital records contrary to this part, department rule, Section 81-13-103, or Section 81-13-504.

(c) An adoption document is open to inspection as provided in Section 81-13-103 or 81-13-504.

(d) A custodian of vital records may permit inspection of a vital record or issue a certified copy of a record or a part of a record when the custodian is satisfied that the applicant has demonstrated a direct, tangible, and legitimate interest.

(3) Except as provided in Subsection (4), a direct, tangible, and legitimate interest in a vital record is present only if:

(a) the request is from:

(i) the subject;

(ii) an immediate family member of the subject;

(iii) the guardian of the subject;

(iv) a designated legal representative of the subject;

(v) a liaison for homeless children or youth as established under the

McKinney-Vento Homeless Education Assistance Improvements Act of 2001, 42

U.S.C. Sec. 11431 et seq. that is assisting the subject; or

[(v)] (vi) a person, including a child-placing agency as defined in Section 81-13-101, with whom a child has been placed pending finalization of an adoption of the child;

(b) the request involves a personal or property right of the subject of the record;

(c) the request is for official purposes of a public health authority or a state, local, or federal governmental agency;

(d) the request is for a drug use intervention or suicide prevention effort or a statistical or medical research program and prior consent has been obtained from the state registrar; or

(e) the request is a certified copy of an order of a court of record specifying the record to be examined or copied.

(4)(a) Except as provided in Title 81, Chapter 13, Adoption, a parent, or an immediate family member of a parent may not be considered as having a direct, tangible, and legitimate interest under this section in a vital record for which the subject is a child if the parent or family member does not have legal or physical custody of, or

65 visitation or parent-time rights for, the child:

66 (i) because of the termination of parental rights under Title 80, Chapter 4,
67 Termination and Restoration of Parental Rights; or
68 (ii) by virtue of consenting to or relinquishing a child for adoption as described in
69 Title 81, Chapter 13, Adoption.

70 (b) Except as provided in Subsection (2)(d), a commercial firm or agency requesting
71 names, addresses, or similar information may not be considered as having a direct,
72 tangible, and legitimate interest under this section.

73 (5) Upon payment of a fee established in accordance with Section 63J-1-504, the office
74 shall make the following records available to the public:

75 (a) except as provided in Subsection 26B-8-110(4)(b), a birth record, excluding
76 confidential information collected for medical and health use, if 100 years or more
77 have passed since the date of birth;
78 (b) a death record if 50 years or more have passed since the date of death; and
79 (c) a vital record not subject to Subsection (5)(a) or (b) if 75 years or more have passed
80 since the date of the event upon which the record is based.

81 (6) Upon payment of a fee established in accordance with Section 63J-1-504, the office
82 shall make an adoption document available as provided in Sections 81-13-103 and
83 81-13-504.

84 (7) The office shall make rules in accordance with Title 63G, Chapter 3, Utah
85 Administrative Rulemaking Act, establishing procedures and the content of forms as
86 follows:

87 (a) for the inspection of adoption documents under Subsection 81-13-103(3);
88 (b) for the release of information by the mutual-consent, voluntary adoption registry as
89 described in Section 81-13-504;
90 (c) for collecting fees and donations under Section 81-13-505; and
91 (d) for the review and approval of a request described in Subsection (3)(d).

92 **Section 2. Effective Date.**

93 This bill takes effect on May 6, 2026.