

26 None

27 **Utah Code Sections Affected:**

28 AMENDS:

29 26-2-4, as last amended by Laws of Utah 2007, Chapter 32

30 26-2-12.6, as last amended by Laws of Utah 2021, Chapter 284

31 63I-2-226, as last amended by Laws of Utah 2021, Chapters 277, 422, and 433



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

34 Section 1. Section 26-2-4 is amended to read:

35 **26-2-4. Content and form of certificates and reports.**

36 (1) As used in this section, "additional information" means information that is beyond
37 the information necessary to comply with federal standards ~~§~~ ~~[, federal contracts,]~~ ~~←~~ ~~§~~ or state law
37a for
38 registering a birth.

39 ~~[(1)]~~ (2) Except as provided in Subsection ~~[(5)]~~ (6), to promote and maintain
40 nationwide uniformity in the vital records system, the forms of certificates, certification,
41 reports, and other documents and records required by this chapter or the rules implementing
42 this chapter shall include as a minimum the items recommended by the federal agency
43 responsible for national vital statistics, subject to approval, additions, and modifications by the
44 department.

45 ~~[(2)]~~ (3) Certificates, certifications, forms, reports, other documents and records, and
46 the form of communications between persons required by this chapter shall be prepared in the
47 format prescribed by department rule.

48 ~~[(3)]~~ (4) All vital records shall include the date of filing.

49 ~~[(4)]~~ (5) Certificates, certifications, forms, reports, other documents and records, and
50 communications between persons required by this chapter may be signed, filed, verified,
51 registered, and stored by photographic, electronic, or other means as prescribed by department
52 rule.

53 ~~[(5)]~~ (6) (a) The state:

54 ~~[(a)]~~ (i) may collect the Social Security number of a deceased individual; and

55 ~~[(b)]~~ (ii) may not include the Social Security number of an individual on a certificate of
56 death.

57 (b) For registering a birth, the department may not require an individual to provide
 58 additional information.

59 (c) The department may request additional information if the department provides a
 60 written statement that:

61 (i) discloses that providing the additional information is voluntary;

62 (ii) discloses how the additional information will be used and the duration of use;

63 (iii) describes how the department prevents the additional information from being used
 64 in a manner different from the disclosure given under Subsection (5)(c)(ii); and

65 (iv) includes a notice that the individual is consenting to the department's use of the
 66 additional information by providing the additional information.

67 (d) (i) Beginning July 1, 2022, an individual may submit a written request to ~~§~~→ **the**
 67a **department to** ←~~§~~

68 de-identify the individual's additional information ~~§~~→ **contained in the department's databases**
 68a ←~~§~~ .

69 (ii) Upon receiving the written request, the department shall de-identify the additional
 70 information.

71 (e) The department shall de-identify additional information contained in the
 72 department's databases before the additional information is held by the department for longer
 73 than six years.

74 Section 2. Section **26-2-12.6** is amended to read:

75 **26-2-12.6. Fee waived for certified copy of birth certificate -- Complimentary**
 76 **birth certificate.**

77 (1) Notwithstanding Section 26-1-6 and Section 26-2-12.5, the department shall waive
 78 a fee that would otherwise be charged for a certified copy of a birth certificate, if the individual
 79 whose birth is confirmed by the birth certificate is:

80 (a) the individual requesting the certified copy of the birth certificate; and

81 (b) (i) homeless, as defined in Section 26-18-411;

82 (ii) a person who is homeless, as defined in Section 35A-5-302;

83 (iii) an individual whose primary nighttime residence is a location that is not designed
 84 for or ordinarily used as a sleeping accommodation for an individual;

85 (iv) a homeless service provider as verified by the Department of Workforce Services;

86 or

87 (v) a homeless child or youth, as defined in 42 U.S.C. Sec. 11434a.