

ASSEMBLY BILL

No. 1745

Introduced by Assembly Member Ammiano

February 8, 2010

An act to repeal and add Section 103692 of the Health and Safety Code, relating to vital records.

LEGISLATIVE COUNSEL'S DIGEST

AB 1745, as introduced, Ammiano. Vital records: fees: disposition of human remains.

Under existing law, the local registrar of births and deaths is required to collect various fees for an application for the disposition of human remains. Existing law requires, as part of those fees, after January 1, 2005, \$4 to be paid to the State Registrar to implement and maintain the electronic death registration system, as specified.

This bill would allow the local registrar of births and deaths to charge an additional fee of up to \$8, the first \$5 of which would be required to be used to fund the disposition of the remains of indigent residents of the county.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 103692 of the Health and Safety Code
- 2 is repealed.
- 3 ~~103692. (a) (1) Commencing January 1, 2003, in addition~~
- 4 ~~to the fees prescribed by Section 103065 and by Sections 103675~~
- 5 ~~to 103685, inclusive, an applicant for a permit for the disposition~~

1 of human remains shall pay a fee of six dollars (\$6) to the local
2 registrar of births and deaths.

3 (2) The fee imposed by paragraph (1) shall remain in effect
4 until January 1, 2005, and as of that date, shall be reduced to four
5 dollars (\$4).

6 (3) The fee established by this subdivision shall be exempt
7 from any adjustment made pursuant to Section 100430.

8 (b) Notwithstanding any other provision of law, the local
9 registrar of births and deaths shall pay to the State Registrar,
10 pursuant to Section 103690, the fees collected pursuant to
11 subdivision (a).

12 (c) Funds collected pursuant to subdivision (a), upon
13 appropriation by the Legislature, shall be used by the State
14 Registrar to implement and maintain the electronic death
15 registration system required by Section 102778.

16 SEC. 2. Section 103692 is added to the Health and Safety Code,
17 to read:

18 103692. (a) In addition to the fees prescribed by Section
19 103065 and by Sections 103675 to 103685, inclusive, an applicant
20 for a permit for the disposition of human remains shall pay both
21 of the following:

22 (1) A fee of four dollars (\$4), to be paid to the local registrar of
23 births and deaths who shall transfer the moneys to the State
24 Registrar for use, upon appropriation by the Legislature, to
25 implement and maintain the electronic death registration system
26 required by Section 102778.

27 (2) A fee of up to eight dollars (\$8), to be paid to the local
28 registrar and used as follows:

29 (A) The first up to five dollars (\$5), if charged, shall be used to
30 fund the disposition of the remains of indigent residents of that
31 county.

32 (B) Fee amounts over five dollars (\$5), if charged, may be used
33 by the local registrar for the administration of his or her statutory
34 duties relating to the disposition of human remains, including, but
35 not limited to, administration or the disposal of the remains of
36 indigent residents.

37 (b) The fees imposed by this section shall be exempt from
38 adjustment pursuant to Section 100430.

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