

BILL ANALYSIS

Senate Research Center
79R15513 MSE-F

H.B. 2101
By: Delisi (Nelson)
Health & Human Services
5/18/2005
Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Under current law, the Department of State Health Services (department) is authorized to sell copies of heirloom birth certificates. These certificates contain the same information as, and have the same effect as, a certified copy of another birth record. The fee for issuing an heirloom certificate may not exceed \$30. Proceeds from heirloom birth certificates are deposited to the credit of the general revenue fund. H.B. 2101 makes the promotion and sale of heirloom birth certificates by the Department of State Health Services mandatory rather than permissive, and designates that proceeds shall go to the credit of the childhood immunization account of the general revenue fund. The bill also increases the cost of the certificate from \$30 to \$50.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

[While the statutory reference in this bill is to the Texas Department of Health, the following amendments affect the Department of State Health Services, as the successor agency to the Texas Department of Health.]

SECTION 1. Amends Section 191.0021, Health and Safety Code, as follows:

Sec. 192.0021. HEIRLOOM BIRTH CERTIFICATE. (a) Requires the Texas Department of Health (department) to promote and sell copies of an heirloom birth certificate. Requires the department to solicit donated designs for the certificate from Texas artists and select the best donated designs for the form of the certificate. Increases the fee charged for the heirloom certificate. Requires the heirloom birth certificate to be printed on high-quality paper with the appearance of parchment not smaller than 11 inches by 14 inches. Deletes existing text relating to the permissive authorization to design an heirloom birth certificate and promote and sell said certificate.

(b) Requires the department to deposit 50 percent of the proceeds from the sale of heirloom birth certificates to the credit of the childhood immunization account and the other 50 percent to the credit of the undedicated portion of the general revenue fund. Provides that the childhood immunization account is an account in the general revenue fund. Authorizes money in the account to be used only by the Department of State Health Services for certain purposes.

(c) Authorizes the department to sell an heirloom birth certificate only for an individual born in this state.

SECTION 2. Requires the Department of State Health Services, as soon as possible after the effective date of this Act, to begin the process of redesigning the form of the heirloom birth certificate in accordance with Section 192.0021, Health and Safety Code, as amended by this Act. Authorizes the department to appoint an advisory committee to assist the department in soliciting donated designs and selecting the best designs. Requires the department, until the new designs are selected, to continue to use the design in use on the effective date of this Act.

SECTION 3. Effective date: September 1, 2005.