

CS FOR HOUSE BILL NO. 99(MLV)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY THE HOUSE SPECIAL COMMITTEE ON MILITARY AND VETERANS' AFFAIRS

Offered: 2/18/09

Referred: State Affairs, Finance

Sponsor(s): HOUSE STATE AFFAIRS COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to providing a death certificate for a deceased veteran without charge;**
2 **and providing for an effective date."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 *** Section 1.** AS 18.50.320 is amended to read:

5 **Sec. 18.50.320. Copies of data from vital records.** Except as otherwise
6 provided and in accordance with the regulations adopted under AS 18.50.310,

7 (1) the bureau and the custodian of permanent local records shall, upon
8 request, issue a certified copy of a certificate or record in their custody, or a part of it;
9 each copy issued must show the date of registration or recording, and copies issued
10 from records marked "delayed," "amended," or "court order" shall be similarly marked
11 and must show the effective date;

12 (2) a certified copy of a certificate or a part of it issued in accordance
13 with (1) of this section is considered the original for all purposes and is prima facie
14 evidence of the facts stated; **however**, [PROVIDED THAT] the evidentiary value of a

1 certificate or record filed more than one year after the event, or a record that has been
 2 amended, or a presumptive death certificate, shall be determined by the judicial or
 3 administrative body or official before whom the certificate is offered as evidence;

4 (3) the National Office of Vital Statistics may be furnished the copies
 5 or data it requires for national statistics if the bureau is reimbursed for the cost of
 6 furnishing the data; the National Office of Vital Statistics may not use the data for
 7 purposes other than statistical purposes unless authorized by the state registrar;

8 (4) federal, state, local, and other public or private agencies, upon
 9 request, may be furnished copies or data for statistical purposes on the terms or
 10 conditions prescribed by the bureau;

11 (5) a person or agency may not prepare or issue a certificate or part of
 12 a certificate that purports to be an original, certified copy, or copy of a certificate of
 13 birth, death, fetal death, or marriage, except as authorized in this chapter or the
 14 regulations adopted under it;

15 (6) upon request, the bureau shall furnish a copy of a certificate or
 16 record registered by the bureau to the child support services agency created in
 17 AS 25.27.010, or the child support enforcement agency of another state, for child
 18 support purposes authorized under law; such a certificate or record that is prepared or
 19 maintained in an electronic data base may be supplied by providing the requesting
 20 agency with a copy of the electronic certificate or record and a statement certifying its
 21 contents;

22 **(7) upon request and without charge, the bureau shall issue one**
 23 **certified copy of the death certificate of a veteran to an eligible recipient for the**
 24 **purpose of satisfying an eligibility requirement for a benefit related to the death**
 25 **of the veteran; in this paragraph,**

26 **(A) "eligible recipient" means the veteran's surviving**
 27 **spouse, or next of kin, or relative of the deceased veteran, the deceased**
 28 **veteran's heir or devisee, and the administrator, executor, personal**
 29 **representative, foreign personal representative, beneficiary, conservator,**
 30 **fiduciary, special administrator, successor personal administrator, or**
 31 **trustee of the deceased veteran's estate;**

1 **(B) "veteran" means an individual who was**

2 **(i) on active duty at the time of the veteran's death**
3 **or had received an honorable or general discharge from a branch**
4 **of the armed services of the United States, the Alaska Scouts, the**
5 **Alaska Territorial Guard, the Alaska Army National Guard, the**
6 **Alaska Air National Guard, the Alaska Naval Militia, the United**
7 **States Coast Guard, or a reserve unit of the United States armed**
8 **forces or United States Coast Guard in Alaska; and**

9 **(ii) a resident of Alaska at the time of the**
10 **individual's death.**

11 * **Sec. 2.** This Act takes effect immediately under AS 01.10.070(c).