



Ohio Legislative Service Commission

Bill Analysis

Aida S. Montano

H.B. 517

131st General Assembly
(As Introduced)

Rep. Celebrezze

BILL SUMMARY

- Provides that if proof of a child's birth is required to be included in a party's pleading in a domestic relations case and upon receipt of an application for a certification of birth and fee, the clerk of the court must access the electronic system of vital records of the State Registrar or Department of Health and issue the certification.
- Specifies that a certification of birth issued as described above is prima facie evidence of the facts stated in it in all courts and places.
- Provides that the fee to be paid with the above application is the current fee of \$12 plus additional fees of \$5 and \$3 under continuing law.

CONTENT AND OPERATION

Certification of child's birth in domestic relations cases

The bill provides that if proof of a child's birth is required to be included in a pleading or paper of a party in a "domestic relations case" filed in the court of common pleas and the child's "birth record" has not ceased to be a public record, the clerk of court, on receipt of a signed application for a "certification of birth" and the fee described below, must access from the appropriate electronic system of vital records the State Registrar or Department of Health maintains, and issue to the applicant, the child's certification of birth. (See "**Definitions**" for definitions of the terms in quotation marks.) The certification of birth must contain at least the name, sex, date of birth, registration date, and place of the birth of the child to whose birth the record attests and

must attest that the child's birth has been registered. A certification of birth issued under the bill is prima facie evidence of the facts stated in it in all courts and places.¹

Fee for certification of birth

The fee for a certification of birth issued under the bill is not less than \$12 as provided in continuing law and administrative rule, and must include both of the following:²

- A \$5 fee to be forwarded to the Department of Health and deposited pursuant to the procedures specified in R.C. 3705.24(B) (fee to be used to support the operations, modernization, and automation of the vital records program).
- A \$3 fee to be forwarded to the Department of Health and deposited pursuant to the procedures specified in R.C. 3109.14(B) and (C) (fee or part of it to be paid to the State Treasurer for deposit to the credit of the Children's Trust Fund).

Definitions

The bill defines the following terms:³

"Birth record" generally means a birth certificate that has been registered with the Office of Vital Statistics.⁴

"Certification of birth" means a document issued by the Director of Health or State Registrar or a local registrar under R.C. 3705.23(B) (issuance of certifications of birth).⁵

"Domestic relations case" includes any action or proceeding for divorce, dissolution of marriage, annulment, legal separation, allocation of parental rights and responsibilities for the care of a child, custody or support of a child, companionship or visitation rights with respect to a child, adoption, or determination of a parent and child relationship.

¹ R.C. 2303.081(B).

² R.C. 2303.081(C), by reference to R.C. 3705.24(A)(1)(a), which is not in the bill; and O.A.C. 3701-5-03.

³ R.C. 2303.081(A).

⁴ By reference to R.C. 3705.01, which is not in the bill.

⁵ By reference to R.C. 3705.01, which is not in the bill.

HISTORY

ACTION

Introduced

DATE

04-13-16

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