

## Vital Records (Birth and Death Certificate) Changes Starting July 1, 2018

Act 46 was passed by the Vermont Legislature in May 2017 and establishes new statutes and rules for Vital Records, which are intended to bring Vermont in line with national best practices to enhance the safety and security of vital records, provide greater protection against identity theft, and reduce the potential for misuse of these legal documents. Additionally, the new law and rules will streamline the statewide registration system's processes for greater efficiency and reduced administrative burden. The changes were developed from recommendations by the Vital Records Study Committee and testimony from stakeholders, including town clerks and members of the public. **The changes go into effect on July 1, 2018.**

### Key Items for Town Clerks:

- Applicants for certified copies of birth and death certificates (not marriage certificates) must have a family or legal connection to the person named on the certificate.
- Applications will need to be fully completed and a valid form of identification presented to the town clerk before a certified birth or death certificate is issued.
- Applicants who refuse to complete the application or cannot provide valid identification will be ineligible applicants and referred to the Vital Records Office.
- Applications will need to be entered into the statewide vital records system and certified copies of birth and death certificates created only from that statewide system. (Existing paper copies in vaults will remain, but will no longer be used for creating certified copies.)
- Birth certificates will no longer travel from the hospital to the town clerk's office. They will be registered electronically in the statewide vital records system and available to the town clerk for search or printing.
- The layout of the birth certificate will be changed but the size will not.
- Corrections and amendments to birth and death certificates will be done at the Vital Records Office and new versions made immediately available to the town clerks via the statewide vital records system. Town clerks will receive electronic notification of new or revised versions. This will eliminate the mailing of copies between towns and the Vital Records Office.
- The public will be allowed to apply for a certified copy of a birth or death certificate from any town, regardless of the town of occurrence or residence.
- All town clerks will have access to the entire statewide vital records system containing all birth and death certificates in the state from 1909-present.
- There will be new language regarding the protection of materials used to create certified copies.

The Vital Records Office will maintain a web page with information about the changes, frequently asked questions and more at [www.healthvermont.gov/stats/vital-records/changes-vital-records-law](http://www.healthvermont.gov/stats/vital-records/changes-vital-records-law).

## The New Vital Records Law (Act 46) and What it Means for You

The Vermont Legislature passed Act 46 in May 2017, which significantly changes the state laws that govern vital records—namely, birth and death certificates. The new law and rules will enhance the safety and security of birth and death certificates, provide better protection against misuse of these legal documents, and reduce the potential for identity theft. Additionally, the changes streamline the entire statewide system for creation, storage and tracking of birth and death certificates. Act 46 will impact anyone who seeks a copy of a Vermont birth or death certificate. **The changes go into effect on July 1, 2018.**

The most notable changes are:

- Only family members (as defined in Act 46), legal guardians, certain court-appointed parties or legal representatives of any of these parties can apply to obtain a certified copy of a birth or death certificate. In the case of a death certificate only, the funeral home or crematorium handling disposition may apply for a certified copy.
- An individual must complete an application and show valid identification when applying for a certified copy of a birth or death certificate.
- An individual who refuses to complete the application or cannot provide valid identification will be ineligible and referred to the Vital Records Office.
- Certified copies of birth and death certificates can be ordered from any town, not just where the birth or death occurred or where the person was a resident.
- Certified copies will be issued on anti-fraud paper.
- Access to noncertified copies (previously called “informational” copies) is not significantly changed by the new law or rules.
- Marriage, civil union, divorce or dissolution certificate copies and processes are not affected by the new law or rules.

For text of Act 46, go to

<https://legislature.vermont.gov/assets/Documents/Documents/2018/Docs/ACTS/ACT046/ACT046%20As%20Enacted.pdf>