

By: Representatives Banks, Evans

To: Public Health and  
Welfare

HOUSE BILL NO. 1360

1 AN ACT TO AMEND SECTION 41-57-13, MISSISSIPPI CODE OF 1972,  
2 TO REQUIRE THE LOCAL REGISTRAR OF BIRTHS AND DEATHS IN EACH COUNTY  
3 TO PROVIDE THE DEPARTMENT OF ARCHIVES AND HISTORY WITH A LIST OF  
4 DEATHS IN THE COUNTY OF INDIVIDUALS WHO HAVE BEEN DECEASED FOR  
5 MORE THAN 50 YEARS; AND FOR RELATED PURPOSES.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 SECTION 1. Section 41-57-13, Mississippi Code of 1972, is  
8 amended as follows:

9 41-57-13. (1) Death certificate errors in the recording of  
10 personal information of the deceased may be corrected by affidavit  
11 of the informant and the funeral director of the funeral home that  
12 disposed of the body. Items in the medical certification or of a  
13 medical nature may be amended upon receipt of the specified  
14 amendment form from (a) the person originally certifying the  
15 information or, if deceased or incapacitated, from the person  
16 responsible for the completion of such items, or (b) the State  
17 Medical Examiner. All other amendments to a death certificate  
18 require adjudication by a chancery court in the county of  
19 residence of the complainant or in any chancery court district in  
20 the state if the complainant is a nonresident. In all such  
21 proceedings, the State Board of Health shall be made defendant.  
22 No death certificate shall be changed or amended by the State  
23 Medical Examiner or any county medical examiner or county medical  
24 examiner investigator after he has resigned or been removed from  
25 his office as the State Medical Examiner, county medical examiner  
26 or county medical examiner investigator.

27 (2) The local registrar of births and deaths in each county

28 in the state shall, at least monthly, supply the county registrar,  
29 the tax assessor and the chairman of the county election  
30 commission of each county a list of deaths in the counties of  
31 individuals of voting age who have not been previously listed.  
32 Such lists shall include the following information for each  
33 deceased person: full name (as recorded on the death  
34 certificate), Social Security number, date of death, sex, race,  
35 age and usual place of residence.

36 (3) No such payment as is provided for in Section 41-57-11  
37 shall be made by the board of supervisors unless and until the  
38 local registrar shall certify that a list of all deaths of  
39 individuals of voting age has been filed with the county voting  
40 registrar, tax assessor and with the chairman of the county  
41 election commission of the last county of residence of the  
42 decedent in this state.

43 (4) In the event that the decedent is a female, who at the  
44 time of her death was between the ages of ten (10) and fifty (50)  
45 years old, the physician, medical examiner, coroner or other  
46 official who certifies the decedent's cause of death shall  
47 indicate, where appropriately designated, on the death certificate  
48 whether (a) the decedent was pregnant at the time of her death;  
49 (b) the decedent had given birth within the preceding ninety (90)  
50 days; or (c) the decedent had a miscarriage within the preceding  
51 ninety (90) days.

52 (5) The local registrar of births and deaths in each county  
53 in the state shall provide the Department of Archives and History  
54 with a list of deaths in the county of individuals who have been  
55 deceased for more than fifty (50) years. The first such list  
56 shall be provided by July 1, 2000; supplemental lists shall be  
57 provided on July 1 of each year after 2000. The Department of  
58 Archives and History shall maintain the list as a public record  
59 for use as a resource to citizens performing genealogical and  
60 historical research.

61           SECTION 2. This act shall take effect and be in force from  
62 and after July 1, 1999.