HOUSE BILL NO. 1118

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

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

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

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

(2) The local registrar of births and deaths in each county in the state shall, at least monthly, supply the county registrar,
the tax assessor and the chairman of the county election
commission of each county a list of deaths in the counties of
individuals of voting age who have not been previously listed.
Such lists shall include the following information for each
deceased person: full name (as recorded on the death
certificate), social security number, date of death, sex, race,
age and usual place of residence.

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

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

(5) The local registrar of births and deaths in each county
in the state shall provide the Department of Archives and History
with a list of deaths in the county of individuals who have been
deceased for more than fifty (50) years. The first such list
shall be provided by July 1, 2003; supplemental lists shall be
provided on July 1 of each year after 2003. The Department of
Archives and History shall maintain the list as a public record
for use as a resource to citizens performing genealogical and
historical research.
SECTION 2. This act shall take effect and be in force from and after July 1, 2002.