

By: Representative Banks

To: Public Health and
Welfare

HOUSE BILL NO. 1118

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, 2003; supplemental lists shall be
57 provided on July 1 of each year after 2003. 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, 2002.

