

SESSION OF 1990

Act 1990-106 433

No. 1990-106

AN ACT

HB 1665

Amending the act of June 29, 1953 (P.L.304, No.66), entitled "An act providing for the administration of a statewide system of vital statistics; prescribing the functions of the State Department of Health, the State Advisory Health Board and local registrars; imposing duties upon coroners, prothonotaries, clerks of orphans' court, physicians, midwives and other persons; requiring reports and certificates for the registration of vital statistics; regulating the disposition of dead bodies; limiting the disclosure of records; prescribing the sufficiency of vital statistics records as evidence; prescribing fees and penalties; and revising and consolidating the laws relating thereto," requiring parents to furnish Social Security numbers; and providing for missing children registration.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 401 of the act of June 29, 1953 (P.L.304, No. 66), known as the Vital Statistics Law of 1953, is amended to read:

Section 401. Birth Registration: General Provisions.---A certificate of each birth occurring in this Commonwealth shall be filed with the local registrar of the district in which the birth occurs within a period prescribed by regulations of the Advisory Health Board. The certificate shall be prepared, signed and filed by the attending physician or licensed midwife, except that when there is no attending physician or licensed midwife the certificate shall be prepared, signed and filed (1) by the father, or (2) in the event of his death, disability or absence, by the mother, or (3) in the event of her death or disability, by the householder of the premises or superintendent of the institution in which the birth occurs, or (4) in the event of the absence or disability of all persons heretofore named, then by such person acquainted with the facts as the local registrar shall designate. *The Social Security number or numbers of each parent shall be obtained and maintained separately by the department in a fashion that permits routine screened inquires, unless there is good cause for not requiring the furnishing of such number of numbers in accordance with Federal regulations. This information is considered confidential and is to be made available only to Federal and State agencies responsible for establishing paternity or enforcing child support orders.*

Section 2. Section 403 of the act, added July 3, 1957 (P.L.443, No.247), is amended to read:

Section 403. Birth Registration Children Born in a Country Other Than the United States.-- The department shall, upon request, complete and register birth certificates for any child born in a country other than the United States when either parent is a citizen of the United States and a resident of the Commonwealth of Pennsylvania. Such certificates shall show the true country and date of birth, and that the certificate is not evidence of the United States citizenship of the registrant. For such registration the department shall require proof of parental United States citizenship and of Pennsylvania residence. *The Social Security number or numbers of each parent are to be recorded and maintained as required in section 401.* Certified copies of such certificates shall be issued upon application and payment of the prescribed fee.

Section 3. The act is amended by adding an article to read:

Article IV-A. Missing Children Registration

Section 401-A. Missing Children Registration Definitions.--As used in this article--

(1) *“Division” means the Division of Vital Records of the Department of Health.*

(2) *“Investigating law enforcement agency” means the Pennsylvania State Police or local police force responsible for investigating missing persons or children reports within the political subdivision where the child was reported lost, abducted, missing or runaway.*

(3) *“Missing child” means an individual under eighteen (18) years of age who is reported to a law enforcement agency as abducted, lost, missing or a runaway.*

(4) *“School district” means the last known school which the missing child attended.*

(5) *“State Police” means the Pennsylvania State Police.*

Section 402-A. Missing Children Registration: Investigating Law Enforcement Agency.-- An investigating law enforcement agency shall report to the school district and immediately notify the division for the purpose specified in section 403-A of this act that an individual under eighteen (18) years of age is lost, abducted, missing or runaway. The investigating law enforcement agency shall notify the school district and the division upon recovery of a child who was the subject of a report.

Section 403-A. Missing Children Registration: Notations on Birth and School Records.--If the division receives notification of a missing child, it shall make a notation on the birth certificate record of the missing child so that, if that birth certificate is requested, the division will be alerted to the fact that the birth certificate is that of a missing child. When the division is notified of the recovery of a missing child, it shall remove the notation. When a school receives notification of a missing child, it shall make a notation on the school record of the missing child so that, if that school record is requested, the school will be alerted to the fact that the school record is that of a missing child. If the school is notified of the recovery of a missing child, it shall remove the notation.

Section 404-A. Missing Children Registration: Requests for Information.--When the division or a school receives a request for information from a record which has a "Missing Child" notation, no information contained in the record shall be released to the requester prior to contact with the investigating law enforcement agency. The division and schools shall make an effort to obtain information to identify the person whose request is verbal. The division or school receiving the request shall contact the investigating law enforcement agency to coordinate the response.

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Section 4. This act shall take effect in 90 days.

APPROVED--The 11th day of July, A.D. 1990

ROBERT P. CASEY

[Your Department Letterhead]

[Enter School District Name and Address]

Attn.: Student Records Department

Re: NOTIFICATION TO SCHOOL DISTRICT - LOCATED CHILD

Under the provisions of Act 106 of 1990, specifically, Section 402-A, notification of a missing child must be made by the investigating law enforcement agency to the appropriate school district.

The following-named child has been located. Please remove the "missing child" notation from their record.

NAME OF CHILD:

DATE OF BIRTH:

PLACE OF BIRTH (INCLUDING COUNTY):

NAME OF FATHER:

MAIDEN NAME OF MOTHER:

INVESTIGATING OFFICER/CONTACT PERSON:

AGENCY(PSP- TROOP/STATION):

TELEPHONE NUMBER:

Thank you for your assistance in this matter.

Sincerely,

Investigating Officer/Contact Person

[*Your Department Letterhead*]

[*Enter School District Name and Address*]

Attn.: Student Records Department

Re: NOTIFICATION TO SCHOOL DISTRICT - MISSING CHILD

Under the provisions of Act 106 of 1990, specifically, Section 402-A, notification of a missing child must be made by the investigating law enforcement agency to the appropriate school district.

The following-named child has been reported missing to the [*Enter Agency Name*]. Please make a notation on their record.

NAME OF CHILD:

DATE OF BIRTH:

PLACE OF BIRTH (INCLUDING COUNTY):

NAME OF FATHER:

MAIDEN NAME OF MOTHER:

INVESTIGATING OFFICER/CONTACT PERSON:

AGENCY(PSP- TROOP/STATION):

TELEPHONE NUMBER:

If a request for information from the record of above-named child is received, notify the investigating officer/contact person.

Sincerely,

Investigating Officer/Contact Person

[*Your Department Letterhead*]

Pennsylvania Department of Health
P.O. Box 1528
New Castle, Pennsylvania 16103

Attn.: Director, Division of Vital Records

Re: NOTIFICATION TO DIVISION OF VITAL RECORDS - LOCATED CHILD

Under the provisions of Act 106 of 1990, specifically, Section 402-A, notification of a missing child must be made by the investigating law enforcement agency.

The following-named child has been located. Please remove the "missing child" notation from their record.

NAME OF CHILD:

DATE OF BIRTH:

PLACE OF BIRTH (INCLUDING COUNTY):

NAME OF FATHER:

MAIDEN NAME OF MOTHER:

INVESTIGATING OFFICER/CONTACT PERSON:

AGENCY(PSP- TROOP/STATION):

TELEPHONE NUMBER:

Thank you for your assistance in this matter.

Sincerely,

Investigating Officer/Contact Person

[*Your Department Letterhead*]

Pennsylvania Department of Health
P.O. Box 1528
New Castle, Pennsylvania 16103

Attn.: Director, Division of Vital Records

Re: NOTIFICATION TO DIVISION OF VITAL RECORDS - MISSING CHILD

Under the provisions of Act 106 of 1990, specifically, Section 402-A, notification of a missing child must be made by the investigating law enforcement agency.

The following-named child has been reported missing to the [***Enter Agency Name***]. Please make a notation on their record.

NAME OF CHILD:

DATE OF BIRTH:

PLACE OF BIRTH (INCLUDING COUNTY):

NAME OF FATHER:

MAIDEN NAME OF MOTHER:

INVESTIGATING OFFICER/CONTACT PERSON:

AGENCY(PSP- TROOP/STATION):

TELEPHONE NUMBER:

If a request for information from the record of above-named child is received, notify the investigating officer/contact person.

Sincerely,

Investigating Officer/Contact Person