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Legislative Document

No. 601

S.P. 240

In Senate, March 1, 2021

An Act Regarding Indices of Vital Records

Received by the Secretary of the Senate on February 25, 2021. Referred to the Committee on Health and Human Services pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator MIRAMANT of Knox.

Cosponsored by Senator: President JACKSON of Aroostook, Representatives: DOUDERA of Camden, PLUECKER of Warren.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 22 MRSA §2706, sub-§9** is enacted to read:

3 **9. Indices.** Indices to certificates and records of marriage, intentions to marry,
4 domestic partnerships and death, including fetal death, from 1892 to the present at the
5 municipal and state levels are open to the public without restriction. Indices to certificates
6 and records of birth at the municipal and state levels are open to the public after a period
7 of 75 years from the date of the birth. The state registrar or the clerk of a municipality as
8 appropriate shall monitor the public's access to indices to certificates and records of birth
9 to ensure that access to information regarding births that occurred less than 75 years ago is
10 prohibited.

11 The state registrar shall enter into a long-term nonexclusive contract with a private entity
12 experienced in maintaining genealogical research databases to create, maintain and update
13 at no direct cost to the State an online index to certificates and records of birth, marriage,
14 intentions to marry, domestic partnerships and death, including fetal death, in exchange for
15 allowing the private entity to also provide that index to its subscribers and customers. The
16 online index must include the names of persons appearing on the certificate or record, the
17 municipality in which the certificate or record was recorded, the date of the event and the
18 certificate number for the certificate or record number for the record. The online index
19 must cover in its entirety the time period specified under this subsection.

20 **SUMMARY**

21 This bill provides that indices to certificates and records of marriage, intentions to
22 marry, domestic partnerships and death, including fetal death, from 1892 to the present at
23 the municipal and state levels are open to the public without restriction, and that indices to
24 certificates and records of birth at the municipal and state levels are open to the public after
25 a period of 75 years from the date of the birth. The bill also requires the state registrar to
26 enter into a long-term nonexclusive contract with a private entity experienced in
27 maintaining genealogical research databases to create, maintain and update at no direct cost
28 to the State an online index to certificates and records of birth, marriage, intentions to
29 marry, domestic partnerships and death, including fetal death, in exchange for allowing the
30 private entity to also provide that index to its subscribers and customers.