

Department of Legislative Services
 Maryland General Assembly
 2024 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

Senate Bill 267

(Chair, Judicial Proceedings Committee)(By Request -
 Departmental - Transportation)

Judicial Proceedings

Health and Government Operations

**Motor Vehicle Administration and Local Health Departments - Death
 Certificates - Issuance of Copies**

This departmental bill authorizes the Motor Vehicle Administration (MVA) to (1) access and issue copies of death certificates and (2) set and collect corresponding fees. The bill also clarifies that local health departments (LHDs) have this same authority.

Fiscal Summary

State Effect: General fund expenditures for the Maryland Department of Health (MDH) increase by \$83,000 in FY 2025, including \$40,000 in one-time-only software development costs. Future years reflect ongoing costs. The Maryland Department of Transportation (MDOT) can handle the bill’s requirements with existing resources. Minimal increase in general fund revenues beginning in FY 2025, as discussed below.

(in dollars)	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029
GF Revenue	-	-	-	-	-
GF Expenditure	\$83,000	\$43,000	\$43,000	\$43,000	\$43,000
Net Effect	(\$-)	(\$-)	(\$-)	(\$-)	(\$-)

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: LHD revenues and expenditures may decrease minimally beginning in FY 2025, as discussed below.

Small Business Effect: MDOT has determined that this bill has minimal or no impact on small business (attached). The Department of Legislative Services (DLS) concurs with this assessment. (The attached assessment does not reflect amendments to the bill.)

Analysis

Bill Summary: MVA may electronically access a certified or abridged copy of a death certificate from MDH. MVA may issue a copy of a death certificate to any authorized person on request.

MVA may set and collect a fee for processing and issuing a death certificate to cover its administrative costs. The fee set by MVA for this service may not exceed its actual costs. From the fee MVA collects, \$10 must be transferred to the general fund.

When processing and issuing the death certificate of a first responder, MVA may not collect a fee if the death certificate is issued to a surviving spouse or child of a first responder, killed in the line of duty, and will be used in connection with a claim for a dependent or beneficiary of the first responder.

Current Law: The Division of Vital Records in MDH maintains a statewide system for registering, indexing, filing, and protecting all records of birth, death, fetal death, marriage and divorce, adoption, and legitimation and adjudication of paternity for events occurring in Maryland.

The Secretary of Health must provide, on request, any person authorized by applicable regulations with a certified or abridged copy of a birth, death, fetal death, or marriage (for a marriage performed after June 1, 1951) certificate.

LHDs and MVA may electronically access a certified or abridged copy of a birth certificate from MDH and, on request, may process and issue a birth certificate to an authorized person (or a report that a search of the files was made and the requested birth certificate is not on file). MVA or an LHD may set and collect a fee for processing and issuing a birth certificate, or for a report that a search of the files was made and the requested record is not on file, that covers administrative costs. The fee may not exceed the actual costs to MVA or the LHD. Of this fee, \$10 must be transferred to the general fund.

LHDs may also process and issue a death certificate to an authorized person (or a report that a search of the files was made and the requested death certificate is not on file). The fee set by an LHD for processing and issuing a death certificate may not exceed the actual costs to the LHD. An LHD is prohibited from collecting a fee for processing and issuing a copy of a death certificate of a first responder, killed in the line of duty, if the copy is issued to a surviving spouse or child of the first responder and will be used in connection with a claim for a dependent or beneficiary of the first responder.

Background: Chapter 526 of 2018 authorized MVA to electronically access copies of birth certificates from MDH and issue copies of birth certificates to any authorized person

on request. This authorization allowed MVA to issue birth certificates, at participating MVA locations, to customers applying for a driver's license or identification card who were required to present a copy of their birth certificates to apply but forgot to bring their birth certificates or were unable to locate one. MVA advises that this initiative has improved its customer service experience by reducing the number of repeat visits and delays for customers needing to obtain a driver's license or identification card.

According to MVA, a similar improvement in customer service experience could occur under the bill. Permitting MVA to issue death certificates would help customers seeking to complete a title transfer of a vehicle (in the case of a deceased owner) by preventing them from having to reschedule an appointment at participating MVA locations if they forget to bring a copy of the required death certificate with them.

State Fiscal Effect:

Maryland Department of Health

MDH advises that it currently uses a Work Order Management System (WOMS) to issue death certificates. WOMS operates via MD THINK (The Maryland "Total Human-services Integrated Network"), a cloud-based shared services platform and data repository shared among State agencies to integrate access to programs administered by various State agencies. To implement the bill, MDH must (1) update WOMS to allow MVA access to the system; (2) add an additional server to MD THINK to support the addition of MVA users; and (3) provide training to MVA users on WOMS. MDH advises that LHDs already have access to WOMS.

Accordingly, MDH general fund expenditures increase by \$82,961 in fiscal 2025. This estimate reflects the following:

- \$40,000 in one-time-only contractual expenses for a software developer to make necessary revisions to WOMS in order to provide MVA access to the system; and
- \$42,961 in ongoing operating expenses, including (1) \$29,601 for an additional software license for the MD THINK platform; (2) \$10,000 for an additional MD THINK server; and (3) \$3,360 for an additional software license to process payments when issuing vital records.

Any training to MVA users on WOMS can be provided using existing budgeted resources. Beginning in fiscal 2026, MDH general fund expenditures increase by \$42,961 to reflect ongoing operating expenses described above.

Maryland Department of Transportation

MDOT advises that MVA can handle the bill's requirements with existing resources, including any necessary computer programming changes. Further, MDOT advises that, as all security and audit requirements to provide the issuance of death certificates at MVA locations would be implemented according to MDH requirements prior to service availability, the bill does not present any security concerns. MDOT notes that full implementation would not begin immediately but would be phased in over time; however, MDOT did not provide a specific timeline.

MDOT anticipates charging a \$10 fee for each copy of a death certificate. As required under the bill, \$10 of any fee collected by MVA must be transferred to the general fund as is currently done with the fees MVA collects for birth certificates. MDOT did not provide an estimate of how many death certificates may be issued. MDOT advises that MVA has processed nearly 24,000 title transfers since 2021; however, it does not have data available showing how frequently customers arrive at an MVA branch without a death certificate to complete their titling transaction and, thus, have to reschedule their visit.

Accordingly, any fees collected by MVA accrue to the general fund. To the extent these transactions are for death certificates that would not otherwise be obtained, general fund revenues increase minimally. The amount of the increase cannot be reliably quantified at this time.

Local Fiscal Effect: The Maryland Association of County Health Officers (MACHO) advises that it does not anticipate a financial or operational impact to LHDs under the bill, assuming that MVA (1) only issues death certificates at the six MVA locations where it currently issues birth certificates and (2) does not actively promote itself as a destination to obtain death certificates. According to MACHO, MVA has been issuing birth certificates at these six locations for approximately five years and has not requested authorization from MDH to expand to additional locations. To the extent that MVA expands the issuance of death certificates to other MVA locations, MACHO advises that there may be an impact to LHDs.

DLS advises that, to the extent the bill results in an increase in demand for copies of death certificates from MVA, and a corresponding decrease in demand for copies from LHDs, revenues and expenditures for LHDs may decrease beginning as early as fiscal 2025. However, any decrease is expected to be minimal.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: HB 230 (Chair, Health and Government Operations Committee)(By Request - Departmental - Transportation) - Health and Government Operations.

Information Source(s): Maryland Association of County Health Officers; Maryland Department of Health; Maryland Department of Transportation; Department of Legislative Services

Fiscal Note History: First Reader - February 5, 2024
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ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

TITLE OF BILL: Motor Vehicle Administration - Death Certificates - Issuance of Copies

BILL NUMBER: SB 267

PREPARED BY: Maryland Motor Vehicle Administration

PART A. ECONOMIC IMPACT RATING

This agency estimates that the proposed bill:

 X WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND SMALL BUSINESS

OR

 WILL HAVE MEANINGFUL ECONOMIC IMPACT ON MARYLAND SMALL BUSINESSES

PART B. ECONOMIC IMPACT ANALYSIS