WEST VIRGINIA CODE: §16-5-29

§16-5-29. Fees for copies and searches.

(a) The commissioner shall prescribe the fees to be charged and collected by the State Registrar for certified copies of certificates or records, not to exceed $10 per copy, or for a search of the files or records when no copy is made: *Provided*, That the fee may be increased to a maximum of $12 per copy, at the discretion of the commissioner, after July 1, 2008.

(b) The commissioner may prescribe additional fees for the priority production or express delivery of certified copies.

(c) The State Registrar may furnish certified copies of birth and death records to state agencies and to organized charities free of charge when the certificates are needed in presenting claims to the federal government or to a state for public assistance. Further, the State Registrar shall furnish, free of charge, a certified copy of an individual's West Virginia birth certificate upon application and a written affirmation of that individual's homelessness: *Provided*, That the individual is under the age of 18 years. The State Registrar will keep a record of all certificates furnished pursuant to this subsection. For purposes of this subsection, "homelessness" means lacking a fixed, regular, and adequate nighttime residence, or having a primary nighttime residence that is:

(1) A supervised publicly or privately operated shelter designed to provide temporary living accommodations, including welfare hotels, congregate shelters, and transitional housing for the mentally ill;

(2) An institution that provides a temporary residence for individuals intended to be institutionalized; or

(3) A public or private place not designed for, nor ordinarily used as, a regular accommodation for human beings.

(d) Subject to the provisions set forth in §12-2-2 of this code, there is hereby continued in the state Treasury a separate account which shall be designated the Vital Statistics Account.

(e) After July 1, 2006, and subject to the provisions set forth in §12-2-2 of this code, there is established in the state Treasury a separate account which shall be designated the Vital Statistics Improvement Fund. Funds deposited in this account will be used to modernize and automate the system of vital statistics in this state and may not be used to supplant existing funding necessary for the daily operation of the system of vital statistics. Funds in this account will be retained in a non-lapsing fund for the improvement of the system of vital statistics.

(f) The commissioner shall deposit $1 received under the provisions of this section for each

WV Legislature

certified copy to the Vital Statistics Improvement Fund and shall deposit $4 received under the provisions of this section for each certified copy to the General Revenue Fund account. The commissioner shall deposit the remainder of all fees received under the provisions of this section for certified copies and for priority production and express delivery to the vital statistics account.

(g) The commissioner is authorized to expend the moneys deposited in the Vital Statistics Account in accordance with the laws of this state as necessary to implement this article. The Legislature shall appropriate all moneys in the Vital Statistics Account as part of the annual state budget.

(h) The commissioner shall make an annual report to the Legislature on the Vital Statistics Account, including the previous fiscal year's expenditures and projected expenditures for the next fiscal year.

WV Legislature