



February 25, 2014
Senate Rules Committee
Oregon State Capitol
900 Court Street NE
Salem, OR 97310

RE: Support for HB 4056

Chair Rosenbaum and Members of the Committee,

During the 2013 Legislative Session, HB 2093 adopted the 2011 revisions to the Model State Vital Statistics Act. Section 34 of the bill, which specifies the procedure to record a death certificate "in conjunction with owning or having a claim or interest in land," was modified to prohibit death certificates containing medical information from being recorded. A death certificate is commonly recorded to remove a deceased individual from title.

The result of HB 2093, as advised by many county counsels, is the new language prevents the recording of a death certificate that includes medical information in conjunction with owning or having a claim or interest in land. Oregon has a short form death certificate that does not include medical information; however, states like Washington only provide death certificates that include medical information. As of January 1, those death certificates are not recordable under the current law. Customers with death certificates from states where a short form is not available would have to go through other legal means to remove a deceased individual from a claim or interest in land. It is common practice for a surviving spouse to record the death certificate of the deceased spouse to remove the deceased spouse from the title of real estate.

HB 4056 adds language that only those death certificates originating in the State of Oregon may not include medical information. This permits other state's death certificates to be recorded if they contain medical information.

Also, there are Dash-2 amendments, which clarify timing, at the request of two County Clerks. While we don't think that clarification is necessary, we are not opposed to the amendments, so we ask that you adopt them.

Thank you for your consideration and we urge the committee's support of HB 4056.

Sincerely,

Oregon Association of County Clerks