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## News from the Center for Health Statistics Concerning the Oregon Marriage Certificate

October 2013

<b>INSIDE</b>	
<i>Senate Bill 406</i> .....	1
<i>House Bill 2093 Vital records modernization bill</i> .....	2
<i>'Short' change in property transfers</i> .....	3
<i>Thank you and a reminder</i> .....	4
<i>Dissolution of marriage or domestic partnership forms now online</i> .....	4
<i>Contacts</i> .....	5

### Senate Bill 406

In May of this year, the 2013 Oregon State Legislative Assembly passed Senate Bill 406. Effective on June 6, 2013, the law expanded the possible surname options a party may establish as their legal name at marriage or in an Oregon Registered Domestic Partnership (ORDP).

Early in the session, the State Registrar began to prepare her testimony. She met with staff from the Office of Equity and Inclusion to ensure we addressed cultural and community issues. She also had several meetings with the Department of Justice to learn of and preempt any legal issues or concerns.

The bill went through consideration and revision, with no additional testimony from interested parties offered. Once revised, then passed, the law went into effect rather quietly. We know that this law has presented challenges for you and your customers. We want to assure you that we have heard you and we recognize that you are facing customers everyday just across the counter.

In response to the many calls and emails received, we were invited to present an overview about the name changes at the Oregon Clerks Association Annual Conference in August. JoAnn Jackson, Registration Manager and Cynthia Roeser, Data Entry Supervisor, presented. It was a privilege for them to present to you. They were pleased to be given so much time to discuss the issues with you and respond to many of your questions. Thank you for your warm reception.

#### *What's the latest update?*

Recently the State Registrar sent a letter to all clerks with an update. Effective September 9, 2013, our staff will no longer

*(Continued on page 2)*



be reviewing names taken after marriage or ORDP. It will be up to you to determine if the name(s) fall within the law. We may request that your legal counsel support any name changes that appear to be *clearly* outside of our reading of this law. Examples of outside of the law, would be a complete name change or adding names that are not a part of the current names. The list of names that was provided to you can be used as a

## HB 2093 Vital records modernization bill

House Bill 2093, known as the vital records modernization bill passed the Oregon Legislature and was signed by Governor Kitzhaber on June 13, 2013. The new law is effective January 1, 2014. You can read the final (65 page) bill at <https://olis.leg.state.or.us/liz/2013R1/Measures/Text/HB2093/Enrolled>. The Center for Health Statistics led rule making during the summer/early fall to have rules in place by January 1, 2014. James Morales agreed to participate on the Rule Advisory Committee.

The majority of the law remains the same in content, however the following changes may relate to your responsibilities as the county clerk.

- Beginning January 1, 2014, reports of marriage and declarations of domestic partnerships must be submitted within fifteen days after receipt, so twice a month.
- Delayed records of marriage are not included in statutory language with a strong preference to the county clerk's determination of when appropriate to register.
- Certified copies of death records used for property transfers must be short

guideline.

JoAnn Jackson, the State of Oregon Registration Manager would like to hear from you if you have questions. Please contact her by phone at 971-673-1160 or by email at [Joann.Jackson@state.or.us](mailto:Joann.Jackson@state.or.us). ❖



forms (without cause of death information) for Oregon deaths occurring after 1978. Families should be advised to obtain the correct form from the Center for Health Statistics or the local vital records office when filing a claim or interest in land. Certified copies from other states or countries are not limited.

We are in the process of updating forms that require changes. If you would like more information, check the vital records website <http://public.health.oregon.gov/BirthDeathCertificates/Pages/hb2093.aspx>. If you have questions, contact Karen Hampton at [Karen.R.Hampton@state.or.us](mailto:Karen.R.Hampton@state.or.us).

ORS 432.405 is amended to read:

- (1) A report of each marriage performed and domestic partnership registered by the state shall be submitted to the Center for Health Statistics. The State Registrar of the Center for Health Statistics shall register a marriage or domestic partnership if the report of marriage or domestic partnership has been completed and submitted in accordance with this section and any rules adopted by the state registrar.

(Continued on page 3)

- (2) The county clerk or county official who issues the marriage license or registers the Declaration of Domestic Partnership shall prepare the report of marriage or domestic partnership on a form prescribed and furnished by the state registrar, using information obtained from the parties to whom the marriage license or Declaration of Domestic Partnership is being issued.
- (3) A person who performs a marriage shall certify the fact of marriage and submit the certification to the county clerk or county official who issued the license within five calendar days of the marriage ceremony.
- (4) A county clerk or county official who issues marriage licenses or registers declarations of domestic partnership shall complete and submit the report of marriage or domestic partnership to the Center for Health Statistics within 15

### **‘Short’ change in property transfers**

As part of HB 2093, medical information related to cause of death can no longer appear on death records in the custody of the county clerk or county recording officer. Vital records offices call this a ‘short’ form since the lower portion of the certified copy is empty. Our proposed rule limits this requirement to *Oregon deaths* occurring after 1977 when the certified copy was issued after January 1, 2014. We hope this clarifies that records for deaths that occur in other states can be used.

We are taking the following actions to help implement this new law:

- (1) Work with funeral homes to increase awareness. We have already alerted

calendar days of receiving the completed marriage license or registering the Declaration of Domestic Partnership. The report of marriage or domestic partnership must include a copy of the marriage license or Declaration of Domestic Partnership.



### ***New statute on delayed records of marriage***

The State Registrar of the Center for Health Statistics may register a marriage one year or more after the date of the marriage ceremony if:

- (1) The report of marriage is submitted by the county clerk or county official responsible for issuing marriage licenses; and
- (2) The report of marriage indicates that the registration is delayed and identifies the date of registration. ❖

funeral homes, who order the majority of death certified copies for families, to this change.

- (2) Design a simple order form the funeral home can complete with families and then send to the county vital records office. This form will help funeral directors explain to families when a certified copy without medical information:

- would be required (property transfer),
- would be sufficient (close bank account),
- and would be insufficient (insurance claim).

*Short change in property transfers (Continued from page 3)*

- (3) Work with county vital records offices on the increased need for short forms. Also, provide information on how to produce ‘short’ certified copies for those unfamiliar with the service.

We will of course work with the Oregon Association of County Clerks to provide information and examples for county clerks

## Thank you and a reminder

Thank you to all of the county clerks who responded to the article in our first Marriage Certificate Newsletter: “Physical address required for authorizing religious congregation or organization.” By providing complete information for line items 31c and 31d, you save time and corrections for everyone involved.



Reminder: We require the street address of the organization to determine that the religious congregation or organization physically exists.

## Dissolution of marriage or domestic partnership forms now online

Although dissolution of marriage or domestic partnership is not under your office, we know that the public considers the county clerk’s office as a resource for information on many subjects. We are sharing information on a change in our dissolution forms for that reason.

Currently, we have pre-printed forms for dissolution of marriage and for dissolution of domestic partnerships. Working with Oregon Judicial Department (OJD) staff on the E-File project <http://courts.oregon.gov/oregonecourt/Pages/index.aspx>, we developed a fillable pdf form instead of the

handling property titles. We will send information before the end of November (possibly attached to an email) including an example of the ‘short form’. We will also provide a handout for the public briefly explaining the change that your office can use if you choose to do so.

If you have any questions in the meantime, please contact Karen Hampton by email at [Karen.R.Hampton@state.or.us](mailto:Karen.R.Hampton@state.or.us) or by telephone 971-673-1191. ❖

### 31c. Officiant’s Address

Complete street address: Acceptable  
P.O. Box: Acceptable  
Internet Address: NOT Acceptable

### 31d. Authorizing Religious Congregation or Organization

Complete street address: Acceptable  
P.O. Box: NOT Acceptable  
Internet Address: NOT Acceptable

If you have any questions, please contact JoAnn Jackson, Registration manager at [Joann.Jackson@state.or.us](mailto:Joann.Jackson@state.or.us) or at 971-673-1160. ❖

paper forms. The OJD does not separate dissolution of marriage and dissolution of domestic partnership. They use the same documents for a family law proceeding for both. To support that change, we have combined our two forms into one form. We will not reprint the separate paper forms after current supplies are distributed because the form is available statewide as part of the online <http://courts.oregon.gov/OJD/OSCA/cpsd/courtimprovement/familylaw/pages/flpacket1.aspx#b> for attorneys and persons acting as their own attorney. ❖

## Wanted—Newsletter topics

Have a question or idea for a future newsletter article? Contact Judy Shioishi at 971-673-1166 or [Judy.Shioishi@state.or.us](mailto:Judy.Shioishi@state.or.us). Judy collects ideas for articles and then shares them with the writing team.

## Thank you to the contributors of this newsletter:

Cynthia Harris, Kerry Lionadh, JoAnn Jackson, Judy Shioishi, Karen Hampton, Lynda Jackson, Jennifer Woodward.

Have a question? Try asking one of the helpful CHS staff listed below.

### Frequent Contacts

#### Paternalities

Debbie Gott  
971-673-1155

#### Birth Corrections

<1 year, Amanda Vega  
971-673-1169  
1+year, Johanna Collins  
971-673-1137

#### Death Corrections

Patty Thompson  
971-673-1163

#### Filiations

Tony Bojanowski  
971-673-1143

#### Adoptions

Debbie Draghia  
971-673-1152

#### Delayed Filings

Becki Buskirk  
971-673-1147

#### OVERS Helpdesk

971-673-0279

### CHS Managers

#### State Registrar

Jennifer Woodward  
971-673-1185

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Carol Sanders  
971-673-1178

#### Statistics Manager

Joyce Grant-Worley  
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971-673-1191

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971-673-0478

#### Certification Supervisor

Karen Rangan  
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**General info:** 971-673-1180  
**Order vital records:** 1-888-896-4988

**Website:** <http://public.health.oregon.gov/BirthDeathCertificates>

**OVERS website:** <http://healthoregon.org/overs>

