

FATALITY REVIEW AMENDMENTS

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Steve Eliason

Senate Sponsor: Evan J. Vickers

LONG TITLE

General Description:

This bill modifies and enacts provisions relating to review of fatalities and suicides in the state.

Highlighted Provisions:

This bill:

- ▶ defines terms and modifies definitions;
- ▶ modifies the circumstances under which a custodian of vital records may permit inspection or provide a copy of a vital record;
- ▶ modifies the circumstances under which, and to whom, the medical examiner may provide a copy of the medical examiner's final report;
- ▶ allows the Department of Health to make administrative rules regarding the ability for certain governmental entities to use or disclose a medical examiner record;
- ▶ allows the medical examiner to share a medical examiner record with a hospital system in the state for purposes of researching prevention of drug-related overdose or suicide fatalities;
- ▶ creates the position of overdose fatality examiner within the Office of the Medical Examiner;
- ▶ creates the Opioid and Overdose Fatality Review Committee within the Department of Health;
- ▶ requires the Opioid and Overdose Fatality Review Committee to close a meeting in accordance with the Open and Public Meetings Act when an individual fatality is

29 discussed; and

30 ▶ makes technical changes.

31 **Money Appropriated in this Bill:**

32 This bill appropriates in fiscal year 2021:

33 ▶ to Department of Health -- Disease Control and Prevention -- Disease Control and
34 Prevention, as an ongoing appropriation:

35 • from General Fund, \$60,000;

36 ▶ to Department of Health -- Disease Control and Prevention -- Office of the Medical
37 Examiner, as an ongoing appropriation:

38 • from General Fund, \$115,000; and

39 ▶ to Department of Health -- Disease Control and Prevention -- Office of the Medical
40 Examiner, as a one-time appropriation:

41 • from the General Fund, One-time, \$121,000.

42 **Other Special Clauses:**

43 None

44 **Utah Code Sections Affected:**

45 AMENDS:

46 26-2-15, as last amended by Laws of Utah 2008, Chapter 3

47 26-2-22, as last amended by Laws of Utah 2015, Chapter 137

48 26-4-17, as last amended by Laws of Utah 2019, Chapter 349

49 52-4-205, as last amended by Laws of Utah 2019, Chapter 417

50 78B-6-142, as renumbered and amended by Laws of Utah 2008, Chapter 3

51 ENACTS:

52 26-4-30, Utah Code Annotated 1953

53 26-7-10, Utah Code Annotated 1953



54 *Be it enacted by the Legislature of the state of Utah:*

56 Section 1. Section 26-2-15 is amended to read:

57 **26-2-15. Petition for establishment of unregistered birth or death -- Court**
58 **procedure.**

59 (1) A person holding a direct, tangible, and legitimate interest as described in
60 Subsection 26-2-22~~(2)~~(3)(a) or (b) may petition for a court order establishing the fact, time,
61 and place of a birth or death that is not registered or for which a certified copy of the registered
62 birth or death certificate is not obtainable. The person shall verify the petition and file ~~it~~ the
63 petition in the Utah district court for the county where:

- 64 (a) the birth or death is alleged to have occurred;
- 65 (b) the person resides whose birth is to be established; or
- 66 (c) the decedent named in the petition resided at the date of death.

67 (2) In order for the court to have jurisdiction, the petition shall:

- 68 (a) allege the date, time, and place of the birth or death; and
- 69 (b) state either that no certificate of birth or death has been registered or that a copy of
70 the registered certificate cannot be obtained.

71 (3) The court shall set a hearing for five to 10 days after the ~~[filing of the petition]~~ day
72 on which the petition is filed.

73 (4) (a) If the time and place of birth or death are in question, the court shall hear
74 available evidence and determine the time and place of the birth or death.

75 (b) If the time and place of birth or death are not in question, the court shall determine
76 the time and place of birth or death to be those alleged in the petition.

77 (5) A court order under this section shall be made on a form prescribed and furnished
78 by the department and is effective upon the filing of a certified copy of the order with the state
79 registrar.

80 (6) (a) For purposes of this section, the birth certificate of an adopted alien child, as
81 defined in Section 78B-6-108, is considered to be unobtainable if the child was born in a
82 country that is not recognized by department rule as having an established vital records

83 registration system.

84 (b) If the adopted child was born in a country recognized by department rule, but a
85 person described in Subsection (1) is unable to obtain a certified copy of the birth certificate,
86 the state registrar shall authorize the preparation of a birth certificate if ~~[he]~~ the state registrar
87 receives a written statement signed by the registrar of the child's birth country stating a certified
88 copy of the birth certificate is not available.

89 Section 2. Section **26-2-22** is amended to read:

90 **26-2-22. Inspection of vital records.**

91 (1) As used in this section:

92 (a) "Designated legal representative" means an attorney, physician, funeral service
93 director, genealogist, or other agent of the subject, or an immediate family member of the
94 subject, who has been delegated the authority to access vital records.

95 (b) "Drug use intervention or suicide prevention effort" means a program that studies
96 or promotes the prevention of drug overdose deaths or suicides in the state.

97 (c) "Immediate family member" means a spouse, child, parent, sibling, grandparent, or
98 grandchild.

99 ~~[(+)]~~ (2) (a) The vital records shall be open to inspection, but only in compliance with
100 the provisions of this chapter, department rules, and Sections 78B-6-141 and 78B-6-144.

101 (b) It is unlawful for any state or local officer or employee to disclose data contained in
102 vital records contrary to this chapter, department rule, Section 78B-6-141, or Section
103 78B-6-144.

104 (c) (i) An adoption document is open to inspection as provided in Section 78B-6-141
105 or Section 78B-6-144.

106 (ii) A birth parent may not access an adoption document under Subsection
107 78B-6-141(3).

108 (d) A custodian of vital records may permit inspection of a vital record or issue a
109 certified copy of a record or a part of a record when the custodian is satisfied that the applicant

110 has demonstrated a direct, tangible, and legitimate interest.

111 ~~[(2)]~~ (3) ~~[A]~~ Except as provided in Subsection (4), a direct, tangible, and legitimate
112 interest in a vital record is present only if:

113 (a) the request is from:

114 (i) the subject;

115 ~~[(ii) a member of the subject's immediate family;]~~

116 (ii) an immediate family member of the subject;

117 (iii) the guardian of the subject;

118 (iv) a designated legal representative of the subject; or

119 (v) a person, including a child-placing agency as defined in Section 78B-6-103, with
120 whom a child has been placed pending finalization of an adoption of the child;

121 (b) the request involves a personal or property right of the subject of the record;

122 (c) the request is for official purposes of a public health authority or a state, local, or
123 federal governmental agency;

124 (d) the request is for a drug use intervention or suicide prevention effort or a statistical
125 or medical research program and prior consent has been obtained from the state registrar; or

126 (e) the request is a certified copy of an order of a court of record specifying the record
127 to be examined or copied.

128 ~~[(3) For purposes of Subsection (2):]~~

129 ~~[(a) "immediate family member" means a spouse, child, parent, sibling, grandparent, or~~
130 ~~grandchild;]~~

131 ~~[(b) a designated legal representative means an attorney, physician, funeral service~~
132 ~~director, genealogist, or other agent of the subject or the subject's immediate family who has~~
133 ~~been delegated the authority to access vital records;]~~

134 ~~[(c)]~~ (4) (a) ~~[except]~~ Except as provided in Title 78B, Chapter 6, Part 1, Utah Adoption
135 Act, a parent, or ~~[the]~~ an immediate family member of a parent, who does not have legal or
136 physical custody of or visitation or parent-time rights for a child because of the termination of

137 parental rights pursuant to Title 78A, Chapter 6, Juvenile Court Act [~~of 1996~~], or by virtue of
138 consenting to or relinquishing a child for adoption pursuant to Title 78B, Chapter 6, Part 1,
139 Utah Adoption Act, may not be considered as having a direct, tangible, and legitimate interest[;
140 ~~and~~] under this section.

141 [~~(d)~~] (b) Except as provided in Subsection (2)(d), a commercial firm or agency
142 requesting names, addresses, or similar information may not be considered as having a direct,
143 tangible, and legitimate interest under this section.

144 [~~(4)~~] (5) Upon payment of a fee established in accordance with Section 63J-1-504, the
145 office shall make the following records available to the public:

146 (a) except as provided in Subsection 26-2-10(4)(b), a birth record, excluding
147 confidential information collected for medical and health use, if 100 years or more have passed
148 since the date of birth;

149 (b) a death record if 50 years or more have passed since the date of death; and

150 (c) a vital record not subject to Subsection [~~(4)~~] (5)(a) or (b) if 75 years or more have
151 passed since the date of the event upon which the record is based.

152 [~~(5)~~] (6) Upon payment of a fee established in accordance with Section 63J-1-504, the
153 office shall make an adoption document available as provided in Sections 78B-6-141 and
154 78B-6-144.

155 [~~(6)~~] (7) The office shall make rules in accordance with Title 63G, Chapter 3, Utah
156 Administrative Rulemaking Act, establishing procedures and the content of forms as follows:

157 (a) for a birth parent's election to permit identifying information about the birth parent
158 to be made available[;] under Section 78B-6-141;

159 (b) for the release of information by the mutual-consent, voluntary adoption registry,
160 under Section 78B-6-144; [~~and~~]

161 (c) for collecting fees and donations [~~pursuant to~~] under Section 78B-6-144.5[;]; and

162 (d) for the review and approval of a request described in Subsection (3)(d).

163 Section 3. Section 26-4-17 is amended to read:

164 **26-4-17. Records of medical examiner -- Confidentiality.**

165 (1) The medical examiner shall maintain complete, original records for the medical
166 examiner record, which shall:

167 (a) be properly indexed, giving the name, if known, or otherwise identifying every
168 individual whose death is investigated;

169 (b) indicate the place where the body was found;

170 (c) indicate the date of death;

171 (d) indicate the cause and manner of death;

172 (e) indicate the occupation of the decedent, if available;

173 (f) include all other relevant information concerning the death; and

174 (g) include a full report and detailed findings of the autopsy or report of the
175 investigation.

176 (2) (a) Upon written request from an individual described in Subsections (2)(a)(i)
177 through ~~[(d)]~~ (iv), the medical examiner shall provide a copy of the medical examiner's final
178 report of examination for the decedent, including the autopsy report, toxicology report, lab
179 reports, and investigative reports to any of the following:

180 ~~[(a)]~~ (i) a decedent's immediate relative;

181 ~~[(b)]~~ (ii) a decedent's legal representative;

182 ~~[(c)]~~ (iii) a physician or physician assistant who attended the decedent during the year
183 before the decedent's death; or

184 ~~[(d) as necessary for the performance of the individual's professional duties,]~~

185 (iv) a county attorney, a district attorney, a criminal defense attorney, or other law
186 enforcement official with jurisdiction, as necessary for the performance of the attorney or
187 official's professional duties.

188 (b) Upon written request from the director or a designee of the director of an entity
189 described in Subsections (2)(b)(i) through (iv), the medical examiner may provide a copy of the
190 of the medical examiner's final report of examination for the decedent, including any other

191 reports described in Subsection (2)(a), to any of the following entities as necessary for
192 performance of the entity's official purposes:

193 (i) a local health department;

194 (ii) a local mental health authority;

195 (iii) a public health authority; or

196 (iv) another state or federal governmental agency.

197 (c) The medical examiner may provide a copy of the medical examiner's final report of
198 examination, including any other reports described in Subsection (2)(a), if the final report
199 relates to an issue of public health or safety, as further defined by rule made by the department
200 in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

201 (3) Reports provided under Subsection (2) may not include records that the medical
202 examiner obtains from a third party in the course of investigating the decedent's death.

203 (4) The medical examiner may provide a medical examiner record to a researcher who:

204 (a) has an advanced degree;

205 (b) (i) is affiliated with an accredited college or university, a hospital, or another
206 system of care, including an emergency medical response or a local health agency; or

207 (ii) is part of a research firm contracted with an accredited college or university, a
208 hospital, or another system of care;

209 (c) requests a medical examiner record for a research project or a quality improvement
210 initiative that will have a public health benefit, as determined by the Department of Health; and

211 (d) provides to the medical examiner an approval from:

212 (i) the researcher's sponsoring organization; and

213 (ii) the Utah Department of Health Institutional Review Board.

214 (5) Records provided under Subsection (4) may not include a third party record, unless:

215 (a) a court has ordered disclosure of the third party record; and

216 (b) disclosure is conducted in compliance with state and federal law.

217 (6) A person who obtains a medical examiner record under Subsection (4) shall:

218 (a) maintain the confidentiality of the medical examiner record by removing personally
219 identifying information about a decedent or the decedent's family and any other information
220 that may be used to identify a decedent before using the medical examiner record in research;

221 (b) conduct any research within and under the supervision of the Office of the Medical
222 Examiner, if the medical examiner record contains a third party record with personally
223 identifiable information;

224 (c) limit the use of a medical examiner record to the purpose for which the person
225 requested the medical examiner record;

226 (d) destroy a medical examiner record and the data abstracted from the medical
227 examiner record at the conclusion of the research for which the person requested the medical
228 examiner record;

229 (e) reimburse the medical examiner, as provided in Section 26-1-6, for any costs
230 incurred by the medical examiner in providing a medical examiner record;

231 (f) allow the medical examiner to review, before public release, a publication in which
232 data from a medical examiner record is referenced or analyzed; and

233 (g) provide the medical examiner access to the researcher's database containing data
234 from a medical examiner record, until the day on which the researcher permanently destroys
235 the medical examiner record and all data obtained from the medical examiner record.

236 (7) The department may make rules, in accordance with Title 63G, Chapter 3, Utah
237 Administrative Rulemaking Act, and in consideration of applicable state and federal law, to
238 establish permissible uses and disclosures of a medical examiner record or other record
239 obtained under this section.

240 [~~(7)~~] (8) Except as provided in this chapter or ordered by a court, the medical examiner
241 may not disclose any part of a medical examiner record.

242 [~~(8)~~] (9) A person who obtains a medical examiner record under Subsection (4) is
243 guilty of a class B misdemeanor, if the person fails to comply with the requirements of
244 Subsections (6)(a) through (d).

245 Section 4. Section **26-4-30** is enacted to read:

246 **26-4-30. Overdose fatality examiner.**

247 (1) Within funds appropriated by the Legislature, the department shall provide
248 compensation, at a standard rate determined by the department, to an overdose fatality
249 examiner.

250 (2) The overdose fatality examiner shall:

251 (a) work with the medical examiner to compile data regarding overdose and opioid
252 related deaths, including:

253 (i) toxicology information;

254 (ii) demographics; and

255 (iii) the source of opioids or drugs;

256 (b) as relatives of the deceased are willing, gather information from relatives of the
257 deceased regarding the circumstances of the decedent's death;

258 (c) maintain a database of information described in Subsections (2)(a) and (b);

259 (d) coordinate no less than monthly with the suicide prevention coordinator described
260 in Section [62A-15-1101](#); and

261 (e) coordinate no less than quarterly with the Opioid and Overdose Fatality Review
262 Committee created in Section [26-7-10](#).

263 Section 5. Section **26-7-10** is enacted to read:

264 **26-7-10. Opioid and Overdose Fatality Review Committee.**

265 (1) As used in this section:

266 (a) "Committee" means the Opioid and Overdose Fatality Review Committee created
267 in this section.

268 (b) "Opioid overdose death" means a death primarily caused by opioids or another
269 substance that closely resembles an opioid.

270 (2) The department shall establish the Opioid and Overdose Fatality Review
271 Committee.

272 (3) (a) The committee shall consist of:
273 (i) the attorney general, or the attorney general's designee;
274 (ii) a state, county, or municipal law enforcement officer;
275 (iii) the manager of the department's Violence Injury Program, or the manager's
276 designee;
277 (iv) an emergency medical services provider;
278 (v) a representative from the Office of the Medical Examiner;
279 (vi) a representative from the Division of Substance Abuse and Mental Health;
280 (vii) a representative from the Office of Vital Records;
281 (viii) a representative from the Office of Health Care Statistics;
282 (ix) a representative from the Division of Occupational and Professional Licensing;
283 (x) a healthcare professional who specializes in the prevention, diagnosis, and
284 treatment of substance use disorders;
285 (xi) a representative from a state or local jail or detention center;
286 (xii) a representative from the Department of Corrections;
287 (xiii) a representative from Juvenile Justice Services;
288 (xiv) a representative from the Department of Public Safety;
289 (xv) a representative from the Commission on Criminal and Juvenile Justice;
290 (xvi) a physician from a Utah-based medical center; and
291 (xvii) a physician from a nonprofit vertically integrated health care organization.
292 (b) The president of the Senate may appoint one member of the Senate, and the speaker
293 of the House of Representatives may appoint one member of the House of Representatives, to
294 serve on the committee.
295 (4) The executive director of the department shall appoint a committee coordinator.
296 (5) (a) The department shall give the committee access to all reports, records, and other
297 documents that are relevant to the committee's responsibilities under Subsection (6) including
298 reports, records, or documents that are private, controlled, or protected under Title 63G,

299 Chapter 2, Government Records Access and Management Act.

300 (b) In accordance with Subsection 63G-2-206(6), the committee is subject to the same
301 restrictions on disclosure of a report, record, or other document received under Subsection
302 (5)(a) as the department.

303 (6) The committee shall:

304 (a) conduct a multidisciplinary review of available information regarding a decedent of
305 an opioid overdose death, which shall include:

306 (i) consideration of the decedent's points of contact with health care systems, social
307 services systems, criminal justice systems, and other systems; and

308 (ii) identification of specific factors that put the decedent at risk for opioid overdose;

309 (b) promote cooperation and coordination among government entities involved in
310 opioid misuse, abuse, or overdose prevention;

311 (c) develop an understanding of the causes and incidence of opioid overdose deaths in
312 the state;

313 (d) make recommendations for changes to law or policy that may prevent opioid
314 overdose deaths;

315 (e) inform public health and public safety entities of emerging trends in opioid
316 overdose deaths;

317 (f) monitor overdose trends on non-opioid overdose deaths; and

318 (g) review non-opioid overdose deaths in the manner described in Subsection (6)(a),
319 when the committee determines that there are a substantial number of overdose deaths in the
320 state caused by the use of a non-opioid.

321 (7) A committee may interview or request information from a staff member, a
322 provider, or any other person who may have knowledge or expertise that is relevant to the
323 review of an opioid overdose death.

324 (8) A majority vote of committee members present constitutes the action of the
325 committee.

326 (9) The committee may meet up to eight times each year.

327 (10) When an individual case is discussed in a committee meeting under Subsection
328 (6)(a), (6)(g), or (7), the committee shall close the meeting in accordance with Sections
329 52-4-204 through 52-4-206.

330 Section 6. Section **52-4-205** is amended to read:

331 **52-4-205. Purposes of closed meetings -- Certain issues prohibited in closed**
332 **meetings.**

333 (1) A closed meeting described under Section 52-4-204 may only be held for:

334 (a) except as provided in Subsection (3), discussion of the character, professional
335 competence, or physical or mental health of an individual;

336 (b) strategy sessions to discuss collective bargaining;

337 (c) strategy sessions to discuss pending or reasonably imminent litigation;

338 (d) strategy sessions to discuss the purchase, exchange, or lease of real property,
339 including any form of a water right or water shares, if public discussion of the transaction
340 would:

341 (i) disclose the appraisal or estimated value of the property under consideration; or

342 (ii) prevent the public body from completing the transaction on the best possible terms;

343 (e) strategy sessions to discuss the sale of real property, including any form of a water
344 right or water shares, if:

345 (i) public discussion of the transaction would:

346 (A) disclose the appraisal or estimated value of the property under consideration; or

347 (B) prevent the public body from completing the transaction on the best possible terms;

348 (ii) the public body previously gave public notice that the property would be offered for
349 sale; and

350 (iii) the terms of the sale are publicly disclosed before the public body approves the
351 sale;

352 (f) discussion regarding deployment of security personnel, devices, or systems;

353 (g) investigative proceedings regarding allegations of criminal misconduct;
354 (h) as relates to the Independent Legislative Ethics Commission, conducting business
355 relating to the receipt or review of ethics complaints;

356 (i) as relates to an ethics committee of the Legislature, a purpose permitted under
357 Subsection 52-4-204(1)(a)(iii)(C);

358 (j) as relates to the Independent Executive Branch Ethics Commission created in
359 Section 63A-14-202, conducting business relating to an ethics complaint;

360 (k) as relates to a county legislative body, discussing commercial information as
361 defined in Section 59-1-404;

362 (l) as relates to the Utah Higher Education Assistance Authority and its appointed
363 board of directors, discussing fiduciary or commercial information as defined in Section
364 53B-12-102;

365 (m) deliberations, not including any information gathering activities, of a public body
366 acting in the capacity of:

367 (i) an evaluation committee under Title 63G, Chapter 6a, Utah Procurement Code,
368 during the process of evaluating responses to a solicitation, as defined in Section 63G-6a-103;

369 (ii) a protest officer, defined in Section 63G-6a-103, during the process of making a
370 decision on a protest under Title 63G, Chapter 6a, Part 16, Protests; or

371 (iii) a procurement appeals panel under Title 63G, Chapter 6a, Utah Procurement
372 Code, during the process of deciding an appeal under Title 63G, Chapter 6a, Part 17,
373 Procurement Appeals Board;

374 (n) the purpose of considering information that is designated as a trade secret, as
375 defined in Section 13-24-2, if the public body's consideration of the information is necessary in
376 order to properly conduct a procurement under Title 63G, Chapter 6a, Utah Procurement Code;

377 (o) the purpose of discussing information provided to the public body during the
378 procurement process under Title 63G, Chapter 6a, Utah Procurement Code, if, at the time of
379 the meeting:

380 (i) the information may not, under Title 63G, Chapter 6a, Utah Procurement Code, be
381 disclosed to a member of the public or to a participant in the procurement process; and

382 (ii) the public body needs to review or discuss the information in order to properly
383 fulfill its role and responsibilities in the procurement process;

384 (p) as relates to the governing board of a governmental nonprofit corporation, as that
385 term is defined in Section 11-13a-102, the purpose of discussing information that is designated
386 as a trade secret, as that term is defined in Section 13-24-2, if:

387 (i) public knowledge of the discussion would reasonably be expected to result in injury
388 to the owner of the trade secret; and

389 (ii) discussion of the information is necessary for the governing board to properly
390 discharge the board's duties and conduct the board's business; or

391 (q) a purpose for which a meeting is required to be closed under Subsection (2).

392 (2) The following meetings shall be closed:

393 (a) a meeting of the Health and Human Services Interim Committee to review a fatality
394 review report described in Subsection 62A-16-301(1)(a), and the responses to the report
395 described in Subsections 62A-16-301(2) and (4);

396 (b) a meeting of the Child Welfare Legislative Oversight Panel to:

397 (i) review a fatality review report described in Subsection 62A-16-301(1)(a), and the
398 responses to the report described in Subsections 62A-16-301(2) and (4); or

399 (ii) review and discuss an individual case, as described in Subsection 62A-4a-207(5);

400 [and]

401 (c) a meeting of the Opioid and Overdose Fatality Review Committee, created in
402 Section 26-7-10, to review and discuss an individual case, as described in Subsection
403 26-7-10(10); and

404 [(e)] (d) a meeting of a conservation district as defined in Section 17D-3-102 for the
405 purpose of advising the Natural Resource Conservation Service of the United States
406 Department of Agriculture on a farm improvement project if the discussed information is

407 protected information under federal law.

408 (3) In a closed meeting, a public body may not:

409 (a) interview a person applying to fill an elected position;

410 (b) discuss filling a midterm vacancy or temporary absence governed by Title 20A,
411 Chapter 1, Part 5, Candidate Vacancy and Vacancy and Temporary Absence in Elected Office;
412 or

413 (c) discuss the character, professional competence, or physical or mental health of the
414 person whose name was submitted for consideration to fill a midterm vacancy or temporary
415 absence governed by Title 20A, Chapter 1, Part 5, Candidate Vacancy and Vacancy and
416 Temporary Absence in Elected Office.

417 Section 7. Section **78B-6-142** is amended to read:

418 **78B-6-142. Adoption order from foreign country.**

419 (1) Except as otherwise provided by federal law, an adoption order rendered to a
420 resident of this state that is made by a foreign country shall be recognized by the courts of this
421 state and enforced as if the order were rendered by a court in this state.

422 (2) A person who adopts a child in a foreign country may register the order in this state.
423 A petition for registration of a foreign adoption order may be combined with a petition for a
424 name change. If the court finds that the foreign adoption order meets the requirements of
425 Subsection (1), the court shall order the state registrar to:

426 (a) file the order pursuant to Section [78B-6-137](#); and

427 (b) file a certificate of birth for the child pursuant to Section [26-2-28](#).

428 (3) If a clerk of the court is unable to establish the fact, time, and place of birth from
429 the documentation provided, a person holding a direct, tangible, and legitimate interest as
430 described in Subsection [26-2-22](#)~~(2)~~[\(3\)](#)(a) or (b) may petition for a court order establishing the
431 fact, time, and place of a birth pursuant to Subsection [26-2-15](#)(1).

432 Section 8. **Appropriation.**

433 The following sums of money are appropriated for the fiscal year beginning July 1,

434 2020, and ending June 30, 2021. These are additions to amounts previously appropriated for
435 fiscal year 2021. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures
436 Act, the Legislature appropriates the following sums of money from the funds or accounts
437 indicated for the use and support of the government of the state of Utah.

438 ITEM 1

439 To Department of Health -- Disease Control and Prevention

440 From General Fund \$60,000

441 Schedule of Programs:

442 Disease Control and Prevention \$60,000

443 ITEM 2

444 To Department of Health -- Disease Control and Prevention

445 From General Fund \$115,000

446 From General Fund, One-time \$121,000

447 Schedule of Programs:

448 Office of the Medical Examiner \$236,000