

Presented to the governor April 11, 2005

Signed by the governor April 14, 2005, 10:55 a.m.

CHAPTER 23—S.F.No. 271

An act relating to health; modifying access to certified death records; amending Minnesota Statutes 2004, section 144.225, subdivision 7.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2004, section 144.225, subdivision 7, is amended to read:

Subd. 7. **CERTIFIED BIRTH OR DEATH RECORD.** (a) The state or local registrar shall issue a certified birth or death record or a statement of no vital record found to an individual upon the individual's proper completion of an attestation provided by the commissioner:

(1) to a person who has a tangible interest in the requested vital record. A person who has a tangible interest is:

(i) the subject of the vital record;

(ii) a child of the subject;

(iii) the spouse of the subject;

(iv) a parent of the subject;

(v) the grandparent or grandchild of the subject;

(vi) if the requested record is a death record, a sibling of the subject;

~~(vi)~~ (vii) the party responsible for filing the vital record;

~~(vii)~~ (viii) the legal custodian or guardian or conservator of the subject;

~~(viii)~~ (ix) a personal representative, by sworn affidavit of the fact that the certified copy is required for administration of the estate;

~~(ix)~~ (x) a successor of the subject, as defined in section 524.1-201, if the subject is deceased, by sworn affidavit of the fact that the certified copy is required for administration of the estate;

~~(x)~~ (xi) if the requested record is a death record, a trustee of a trust by sworn affidavit of the fact that the certified copy is needed for the proper administration of the trust;

~~(xi)~~ (xii) a person or entity who demonstrates that a certified vital record is necessary for the determination or protection of a personal or property right, pursuant to rules adopted by the commissioner; or

New language is indicated by underline, deletions by ~~strikeout~~.

(~~xii~~) (xiii) adoption agencies in order to complete confidential postadoption searches as required by section 259.83;

(2) to any local, state, or federal governmental agency upon request if the certified vital record is necessary for the governmental agency to perform its authorized duties. An authorized governmental agency includes the Department of Human Services, the Department of Revenue, and the United States Immigration and Naturalization Service;

(3) to an attorney upon evidence of the attorney's license;

(4) pursuant to a court order issued by a court of competent jurisdiction. For purposes of this section, a subpoena does not constitute a court order; or

(5) to a representative authorized by a person under clauses (1) to (4).

(b) The state or local registrar shall also issue a certified death record to an individual described in paragraph (a), clause (1), items (ii) to (vii), if, on behalf of the individual, a mortician designated to receive death records under section 144.214, subdivision 4, furnishes the registrar with a properly completed attestation in the form provided by the commissioner within 180 days of the time of death of the subject of the death record. This paragraph is not subject to the requirements specified in Minnesota Rules, part 4601.2600, subpart 5, item B.

Presented to the governor April 19, 2005

Signed by the governor April 22, 2005, 5:55 a.m.

CHAPTER 24—S.F.No. 1535

An act relating to liquor; authorizing the city of Minneapolis to issue an on-sale license; amending Minnesota Statutes 2004, section 340A.404, subdivision 2.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2004, section 340A.404, subdivision 2, is amended to read:

Subd. 2. **SPECIAL PROVISION; CITY OF MINNEAPOLIS.** (a) The city of Minneapolis may issue an on-sale intoxicating liquor license to the Guthrie Theater, the Cricket Theatre, the Orpheum Theatre, the State Theatre, and the Historic Pantages Theatre, notwithstanding the limitations of law, or local ordinance, or charter provision relating to zoning or school or church distances. The licenses authorize sales on all days of the week to holders of tickets for performances presented by the theaters and to members of the nonprofit corporations holding the licenses and to their guests.

(b) The city of Minneapolis may issue an intoxicating liquor license to 510 Groveland Associates, a Minnesota cooperative, for use by a restaurant on the premises

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