

I\_132\_0813-4

132nd General Assembly  
Regular Session  
2017-2018

Sub. H. B. No. 146

---

**A BILL**

To amend sections 313.19 and 3705.22 and to enact  
section 4507.25 of the Revised Code to modify  
how a coroner may change the cause of death and  
manner of death in a filed death certificate and  
to allow the next of kin of a deceased  
individual to request a duplicate copy of the  
deceased individual's most recent driver's  
license.

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 313.19 and 3705.22 be amended and  
section 4507.25 of the Revised Code be enacted to read as  
follows:

**Sec. 313.19.** The cause of death and the manner ~~and mode~~ in  
which the death occurred, as delivered by the coroner and  
incorporated in the coroner's verdict and in the death  
certificate filed with the division of vital statistics, shall  
be the legally accepted manner ~~and mode~~ in which such death  
occurred, and the legally accepted cause of death, unless the  
court of common pleas of the county in which the death occurred,



8nbg5tgepwmh5qnac2mcdw

after a hearing, directs or allows the coroner to change ~~his~~ the  
coroner's decision as to ~~such the cause and or manner and mode~~  
of death. The court shall notify the prosecutor of the county in  
which a hearing is scheduled and the decedent's next of kin of  
the date, time, and place of a hearing.

**Sec. 3705.22.** (A) Whenever it is alleged that the facts  
stated in any birth, fetal death, or death record filed in the  
department of health are not true, the director may require  
satisfactory evidence to be presented in the form of affidavits,  
amended records, or certificates to establish the alleged facts.  
When established, the original record or certificate shall be  
supplemented by the affidavit or the amended certificate or  
record information.

(B) (1) An affidavit in a form prescribed by the director  
shall be sworn to by a person having personal knowledge of the  
matter sought to be corrected. Medical certifications contained  
on fetal death or death records may be corrected only by the  
person whose name appears on the original record as attending  
physician or by the coroner of the county in which the death  
occurred.

(2) A coroner may change the underlying cause of death and  
manner of death on a fetal death or death record once within  
eight weeks after the deceased's date of death, and otherwise  
only if authorized under section 313.19 of the Revised Code. A  
coroner may change the immediate cause of death on a fetal death  
or death record once within eight weeks after the deceased's  
date of death, once later than eight weeks after the deceased's  
date of death, and otherwise only if authorized under section  
313.19 of the Revised Code.

(3) All of the following are not subject to division (B)

<u>(2) of this section:</u>	49
<u>(a) The change of a pending cause or manner of death to a specific cause or manner of death;</u>	50 51
<u>(b) The change of a blank cause or manner of death to a specific cause or manner of death;</u>	52 53
<u>(c) The addition of detail to the cause or manner of death that expands upon the original cause or manner of death.</u>	54 55
<u>(C) The amended birth record shall be signed by the person who attended the birth and the informant or informants whose names appear on the original record. The amended death or fetal death record shall be signed by the physician or coroner, funeral director, and informant whose names appear on the original record.</u>	56 57 58 59 60 61
<u>(D) An affidavit or amended record for the correction of the given name of a person shall have the signature of the person, if the person is age eighteen or older, or of both parents if the person is under eighteen, except that in the case of a child born out of wedlock, the mother's signature will suffice; in the case of the death or incapacity of either parent, the signature of the other parent will suffice; in the case of a child not in the custody of <del>his</del> <u>the child's</u> parents, the signature of the guardian or agency having the custody of the child will suffice; and in the case of a child whose parents are deceased, the signature of another person who knows the child will suffice.</u>	62 63 64 65 66 67 68 69 70 71 72 73
<u>(E) Once a correction or amendment of an item is made on a <del>vital birth</del> record, that item shall not be corrected or amended again except on the order of a court of this state or the request of a court of another state or jurisdiction.</u>	74 75 76 77

(F) The director may refuse to accept an affidavit or 78  
amended certificate or record that appears to be submitted for 79  
the purpose of falsifying the certificate or record. 80

(G) A certified copy of a certificate or record issued by 81  
the department of health shall show the information as 82  
originally given and the corrected information, except that an 83  
electronically produced copy need indicate only that the 84  
certificate or record was corrected and the item that was 85  
corrected. 86

**Sec. 4507.25.** (A) Notwithstanding any other section of the 87  
Revised Code, the next of kin of a deceased individual may apply 88  
for a duplicate copy of the deceased individual's most recent 89  
driver's license on a form furnished by the registrar of motor 90  
vehicles. The duplicate copy of the driver's license shall be 91  
marked with the word "void" through the deceased individual's 92  
name. 93

(B) Each application shall be accompanied by the fee for a 94  
duplicate driver's license as established in section 4507.23 of 95  
the Revised Code. 96

(C) The registrar shall adopt rules in accordance with 97  
Chapter 119. of the Revised Code that are necessary to implement 98  
and enforce this section. The rules shall include procedures for 99  
applying for the duplicate license, requirements relating to 100  
which next of kin may apply for the license, and requirements 101  
relating to acceptable forms of proof that an individual is 102  
deceased and that an applicant is next of kin. 103

**Section 2.** That existing sections 313.19 and 3705.22 of 104  
the Revised Code are hereby repealed. 105