



MEMORANDUM

To: Local Registrars
From: Ken Bramlett *KB*
Ref: **Death Certificates**
Date: April 22, 2011

In the past anyone has been able to obtain a death certificate without cause of death by proper application. The DCH rule that allows this is in conflict with State law and State law supersedes DCH rule.

Effective immediately, anyone requesting a death certificate, with or without a cause of death, must comply with O.C.G.A. §31-10-26 as listed below.

§ 31-10-26. Certified copies of vital records; issuance; evidentiary effect; use for statistical purposes; transmittal of records out of state; use for commercial or speculative purposes

(a) In accordance with Code Section 31-10-25 and the regulations adopted pursuant thereto:

(1) The state registrar or local custodian of vital records appointed by the state registrar to issue certified copies upon receipt of a written application shall issue a certified copy of a vital record in that registrar's or custodian's custody or abstract thereof to **any applicant having a direct and tangible interest in the vital record**, except that certified copies of certificates shall only be issued to:

(A) The person whose record of birth is registered;

(B) **Either parent, guardian, or temporary guardian of the person whose record of birth or death is registered;**

(C) The living legal spouse or next of kin or the legal representative or the person who in good faith has applied and produced a record of such application to become the legal representative of the person whose record of birth or death is registered;

(D) The court of competent jurisdiction upon its order or subpoena; or

(E) Any governmental agency, state or federal, provided that such certificate shall be needed for official purposes.

Vital Records

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