

Act No. 248
Public Acts of 1992
Approved by the Governor
November 18, 1992
Filed with the Secretary of State
November 19, 1992

**STATE OF MICHIGAN
86TH LEGISLATURE
REGULAR SESSION OF 1992**

Introduced by Reps. Dalman, Gubow, Yokich, Perry Bullard, Wallace, Bandstra, Randall, Nye and DeMars

ENROLLED HOUSE BILL No. 5762

AN ACT to amend sections 2829 and 2832 of Act No. 368 of the Public Acts of 1978, entitled as amended "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for penalties and remedies; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," being sections 333.2829 and 333.2832 of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. Sections 2829 and 2832 of Act No. 368 of the Public Acts of 1978, being sections 333.2829 and 333.2832 of the Michigan Compiled Laws, are amended to read as follows:

Sec. 2829. (1) For each adoption ordered by the probate court in this state, the court shall prepare a report of adoption on a form prescribed and furnished by the state registrar. The report shall:

- (a) Include the facts necessary to locate and identify the certificate of live birth of the individual adopted.
- (b) Provide information necessary to establish a new certificate of live birth of the individual adopted.
- (c) Identify the adoption order.
- (d) Be certified by the probate register or clerk.

(2) When an adoption order is amended, annulled, or rescinded, the court shall prepare a report which shall include the facts necessary to identify the original adoption report and the facts amended in the adoption order necessary to properly amend the birth record. The report of a rescission of adoption shall include the current names and addresses of the petitioners.

(3) Not later than the tenth day of the calendar month, the probate register or clerk shall forward:

(a) To the state registrar, reports of adoption orders, and amendments, annulments, and rescissions of the orders, entered during the preceding month for individuals born in this state.

(b) To the appropriate registration authority in another state, the United States department of state, or the United States immigration and naturalization service, reports of adoption orders, and amendments, annulments, and rescissions of the orders, entered during the preceding month for individuals born outside this state.

(4) A birth certificate issued to an adopted individual shall conform to the requirements of sections 67 and 68 of chapter X of Act No. 288 of the Public Acts of 1939, as amended, being sections 710.67 and 710.68 of the Michigan Compiled Laws.

Sec. 2832. (1) When a new certificate of live birth is established, the actual place and date of birth shall be shown. The new certificate shall be substituted for the original certificate of live birth. Thereafter, the original certificate and the evidence of adoption, paternity, legitimation, or sex designation are not subject to inspection except upon a court order.

(2) Upon receipt of notice of annulment of adoption or a copy of an order of rescission, the original certificate of live birth shall be restored to its place in the files. The certificate created under subsection (1) is not subject to inspection except upon a court order.

(3) If a certificate of live birth is not on file for the individual for whom a new live birth certificate is to be established under section 2831, a new live birth certificate may be prepared on the delayed birth certificate form in use at the time of adoption, legitimation, or paternity determination.

(4) When a new certificate of live birth is established by the state registrar, all copies of the original certificate of birth in the custody of a custodian of permanent records in this state shall be sealed from inspection or forwarded to the state registrar, as the state registrar directs.

Section 2. This amendatory act shall not take effect unless House Bill No. 5761 of the 86th Legislature is enacted into law.

This act is ordered to take immediate effect.

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Clerk of the House of Representatives.

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Secretary of the Senate.

Approved.....

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Governor.