

HOUSE BILL No. 5762

April 14, 1992, Introduced by Reps. Dalman, Gubow, Yokich, Perry Bullard, Wallace, Bandstra, Randall, Nye and DeMars and referred to the Committee on Judiciary.

A bill to amend sections 2829 and 2832 of Act No. 368 of the Public Acts of 1978, entitled as amended "Public health code," being sections 333.2829 and 333.2832 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

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

8 (a) Include the facts necessary to locate and identify the
9 certificate of live birth of the individual adopted.

1 (b) Provide information necessary to establish a new
2 certificate of live birth of the individual adopted.

3 (c) Identify the adoption order.

4 (d) Be certified by the probate register or clerk.

5 (2) When an adoption order is amended, ~~or~~ annulled, OR
6 RESCINDED, the court shall prepare a report which shall include
7 the facts necessary to identify the original adoption report and
8 the facts amended in the adoption order necessary to properly
9 amend the birth record. THE REPORT OF A RESCISSION OF ADOPTION
10 SHALL INCLUDE THE CURRENT NAMES AND ADDRESSES OF THE PETITIONERS.

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

13 (a) To the state registrar, reports of adoption orders, and
14 amendments, ~~and~~ annulments, AND RESCISSIONS of the orders,
15 entered during the preceding month for individuals born in this
16 state.

17 (b) To the appropriate registration authority in another
18 state, the United States department of state, or the United
19 States immigration and naturalization service, reports of adop-
20 tion orders, and amendments, ~~and~~ annulments, AND RESCISSIONS of
21 the orders, entered during the preceding month for individuals
22 born outside this state.

23 (4) A birth certificate issued to an adopted individual
24 shall conform to the requirements of sections 67 and 68 of chap-
25 ter ~~10~~ X of Act No. 288 of the Public Acts of 1939, as
26 amended, being sections 710.67 and 710.68 of the Michigan
27 Compiled Laws.

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

7 (2) Upon receipt of notice of annulment of adoption OR A
8 COPY OF AN ORDER OF RESCISSION, the original certificate of live
9 birth shall be restored to its place in the files. The certifi-
10 cate created under subsection (1) is not subject to inspection
11 except upon a court order.

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

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

22 Section 2. This amendatory act shall not take effect unless
23 Senate Bill No. ____ or House Bill No. 5761 (request
24 no. 02910'91) of the 86th Legislature is enacted into law.