



# HOUSE BILL No. 4979

October 12, 1999, Introduced by Reps. Bob Brown, Woodward, Neumann, DeHart, Bovin, Schermesser, Rivet and Thomas and referred to the Committee on Energy and Technology.

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
by amending section 2891 (MCL 333.2891), as amended by 1992 PA  
78.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 2891. (1) The state registrar or a local registrar  
2 shall, upon receipt of a written request and payment of the pre-  
3 scribed fee, conduct a search for a vital record for ~~persons~~ AN  
4 INDIVIDUAL who ~~purport~~ PURPORTS to be eligible pursuant to sec-  
5 tion 2882 to receive a copy, certified copy, or certificate of  
6 registration of the requested document.

7       (2) If a search for a vital record is conducted by the state  
8 registrar and the record cannot be located, the state registrar  
9 shall issue an official statement to the effect that a record  
10 could not be located in place of a copy, a certified copy, or a

1 certificate of registration of a vital record. If the search is  
 2 conducted by a local registrar, an official statement to the  
 3 effect that a record could not be located is not required and the  
 4 fee prescribed may be waived.

5 (3) The state registrar or a local registrar may require an  
 6 applicant who requests a copy, a certified copy, or a certificate  
 7 of registration of a vital record to provide verification of his  
 8 or her identity before releasing the document if eligibility for  
 9 the document is restricted pursuant to section 2882.

10 (4) The fees for a search are as follows:

11 (a) A search including 1 copy, 1 certified	
12 copy, or 1 certificate of registration of a	
13 vital record or an official statement that a	
14 record could not be located.....	\$13.00
15 (b) Additional identical copies	
16 ordered at the same time.....	4.00 per copy
17 (c) Additional years searched.....	4.00 per year
18 (d) Exemplified copies.....	16.00
19 (e) Additional exemplified copies ordered at	
20 the same time.....	7.00
21 (f) Verification of facts delineated in sec-	
22 tion 2881(2).....	4.00

23 (5) The fees for establishment and registration are as  
 24 follows:

25 (a) Application for establishment of a delayed certif-	
26 icate of birth or death that includes 1 certified copy or	
27 an official denial of the application.....	\$26.00

1 (b) Registration of a delayed certificate of birth for  
 2 a foreign born adopted child that includes 1 certified  
 3 copy..... 13.00

4 (6) Upon formal application of a soldier; sailor; marine;  
 5 member of the coast guard; nurse; member of a women's auxiliary;  
 6 or a person who is entitled to a bonus or a pension or other com-  
 7 pensation under a law of this state, the United States, or other  
 8 state or territory of the United States or a service auxiliary, 1  
 9 certified copy of a vital record requested from the department  
 10 shall be furnished without charge for the purpose of securing the  
 11 bonus, pension, or compensation. If the person entitled to the  
 12 record is deceased or mentally incompetent, the copy may be fur-  
 13 nished to an heir, guardian, or legal representative of the  
 14 person.

15 (7) Upon formal application, a copy or a certified copy of a  
 16 vital record shall be furnished by the state registrar or a local  
 17 registrar without charge for official use only to a court; a  
 18 department, agency, or political subdivision of this state, the  
 19 United States, or another state; a licensed child placing agency  
 20 for adoption purposes; or to an official registrar of a foreign  
 21 country. A copy or a certified copy provided under this subsec-  
 22 tion shall be marked "for official use only".

23 (8) Upon formal application, a person 65 years of age or  
 24 older shall be charged a fee of \$5.00 for a search and 1 copy, 1  
 25 certified copy, or 1 certificate of registration of his or her  
 26 birth record.

1 (9) The following fees shall be charged for the creation of  
2 new vital records and corrections of vital records:

3 (a) Application to create a new certificate of  
4 birth following an adoption; legal change of name for  
5 minors; acknowledgment of paternity; sex change;  
6 legitimation; order of filiation; or a request to  
7 replace a court filed certificate of adoption..... \$26.00

8 (b) Application received within 1 year of the date of  
9 the event to create a new certificate of birth or death to  
10 correct obvious minor errors and omissions..... 26.00

11 The errors and omissions that may be corrected under this subdi-  
12 vision are limited to the following:

13 (i) The addition of a given first or middle name when a name  
14 was not recorded at the time of filing.

15 (ii) A change to a social security number.

16 (iii) The addition of information originally specified as  
17 unknown or that was omitted by error.

18 (iv) A minor spelling change.

19 (10) A fee of \$26.00 shall be charged for an application to  
20 amend birth and death records more than 1 year after the date of  
21 the event for the purpose of adding information or correcting an  
22 error in information recorded on the document.

23 (11) A fee shall not be assessed for ~~any~~ 1 OR MORE of the  
24 following:

25 (a) Changing a vital record to correct an error made within  
26 the office of a local registrar or the state registrar.

1 (b) Correcting an error when initiated by the state  
2 registrar.

3 (c) Correcting a record when requested by a medical examiner  
4 for a case within his or her jurisdiction.

5 (d) Correcting a record when the change is ordered by a  
6 court of competent jurisdiction following denial by the depart-  
7 ment of an application to make a change.

8 (e) Correcting a record when requested to do so by a public  
9 agency where the agency is the guardian of the individual to whom  
10 the record pertains.

11 (F) PREPARING A CERTIFIED VITAL RECORDS SUMMARY PURSUANT TO  
12 SUBSECTION (17).

13 (12) A fee of \$26.00 shall be charged for an application to  
14 amend a birth record regarding a documented legal change of name  
15 for an adult.

16 (13) The state registrar or a local registrar with approval  
17 of the state registrar may charge a reasonable fee to cover the  
18 costs of special services performed pursuant to section 2883,  
19 2884, or 2888.

20 (14) Fees collected under this section by a local registrar  
21 shall be deposited as the governing body of the city or county  
22 directs. Fees collected under this section by the state regis-  
23 trar shall be deposited in the state treasury and credited to the  
24 general fund of this state.

25 (15) The state registrar or a local registrar shall not  
26 charge a fee other than a fee prescribed in this section.  
27 However, a local governmental unit may adopt a system of fees for

1 local registrars under the jurisdiction of the local governmental  
2 unit for a search that provides for fees less than those set  
3 forth in this section, and a charter county with a population of  
4 more than 2,000,000 may adopt a system of fees for that charter  
5 county that provides for fees more than those set forth in this  
6 section. A charter county shall not impose a fee that is greater  
7 than the cost of the service for which the fee is charged.

8 (16) For searches under subsection (4) a local registrar  
9 shall charge fees according to the following:

10 (a) The governing body of a local governmental unit that has  
11 jurisdiction over a local registrar may adopt a system of fees  
12 for the local registrar that provides for fees less than or equal  
13 to the fees set forth in subsection (4), or, in a charter county  
14 with a population of more than 2,000,000, more than the fees set  
15 forth in subsection (4). A charter county shall not impose a fee  
16 that is greater than the cost of the service for which the fee is  
17 charged. The system of fees shall be used by all local regis-  
18 trars under the jurisdiction of the local governmental unit, and  
19 shall be reasonably related to the cost incurred by the local  
20 registrar in making the search.

21 (b) If a system of fees is not adopted by a local  
22 registrar's local governmental unit, the local registrar shall  
23 not charge a fee other than a fee prescribed in subsection (4).

24 (17) UNTIL DECEMBER 31, 1999, THE STATE REGISTRAR OR A LOCAL  
25 REGISTRAR SHALL PROVIDE UPON REQUEST TO AN APPLICANT DESCRIBED IN  
26 SUBSECTION (1) OR TO AN INDIVIDUAL WHO IS A PARENT, HEIR,  
27 GUARDIAN, OR LEGAL REPRESENTATIVE OF ANOTHER, A CERTIFIED VITAL

1 RECORD SUMMARY, PURSUANT TO THIS SUBSECTION. THE STATE REGISTRAR  
2 OR A LOCAL REGISTRAR SHALL INCLUDE IN THE SUMMARY A SYNOPSIS OF  
3 ALL THE PERTINENT INFORMATION CONTAINED IN EACH VITAL RECORD  
4 MAINTAINED BY THE STATE REGISTRAR OR LOCAL REGISTRAR INCLUDING,  
5 BUT NOT LIMITED TO, ALL OF THE INFORMATION DESCRIBED IN SECTION  
6 2881(2) AND PERTAINING TO THE APPLICANT OR TO THE INDIVIDUAL UPON  
7 WHOSE BEHALF THE APPLICANT IS MAKING THE REQUEST. THE STATE REG-  
8 ISTRAR OR A LOCAL REGISTRAR SHALL NOT CHARGE A FEE FOR A CERTI-  
9 FIED VITAL RECORD SUMMARY ISSUED UNDER THIS SUBSECTION. A CERTI-  
10 FIED VITAL RECORD SUMMARY ISSUED UNDER THIS SUBSECTION IS NOT  
11 VALID PROOF OF THE EVENT OR EVENTS DESCRIBED IN THE SUMMARY  
12 UNLESS THE GOVERNOR DECLARES A STATE OF EMERGENCY OR A STATE OF  
13 DISASTER UNDER 1945 PA 302, MCL 10.31 TO 10.33, OR UNDER THE  
14 EMERGENCY MANAGEMENT ACT, 1976 PA 390, MCL 30.401 TO 30.420, OR  
15 BOTH, THAT IS RELATED IN WHOLE OR IN PART TO THE PARTIAL OR TOTAL  
16 FAILURE OF THE ELECTRONIC SYSTEM OF STORING AND MAINTAINING VITAL  
17 RECORDS OPERATED BY THE DEPARTMENT CAUSED IN WHOLE OR IN PART BY  
18 THE CHANGING OF CALENDAR DATES FROM THE YEAR 1999 TO THE YEAR  
19 2000. A CERTIFIED VITAL RECORD SUMMARY THAT BECOMES VALID UNDER  
20 THIS SUBSECTION IS VALID ONLY FOR A TIME PERIOD PRESCRIBED BY THE  
21 GOVERNOR IN THE DECLARATION OF A STATE OF EMERGENCY OR A STATE OF  
22 DISASTER OR UNTIL THE GOVERNOR TERMINATES THE ENTIRE DECLARATION  
23 OR THAT PART OF THE DECLARATION BASED ON THE PARTIAL OR TOTAL  
24 FAILURE OF THE SYSTEM OF STORING AND MAINTAINING VITAL RECORDS  
25 OPERATED BY THE DEPARTMENT.