

SUBSTITUTE FOR
SENATE BILL NO. 56

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~~
5 UNDER section 2882 OR FOR AN AGENCY UNDER SECTION 2883(2) to
6 receive a ~~copy,~~ certified copy, ~~or certificate of~~
7 ~~registration~~ ADMINISTRATIVE USE COPY, OR A STATISTICAL USE COPY
8 of the requested ~~document~~ VITAL RECORD.
9 (2) If a search for a vital record is conducted by the state
10 registrar and the VITAL record cannot be located, the state

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1 registrar shall issue an official statement to the effect that
2 ~~a~~ THE VITAL record could not be located in place of ~~a copy,~~ a
3 certified copy ~~,~~ or ~~a certificate of registration~~ AN ADMINIS-
4 TRATIVE USE COPY of a vital record. If ~~the~~ A search FOR A
5 VITAL RECORD is conducted by a local registrar AND THE VITAL
6 RECORD CANNOT BE LOCATED, THE LOCAL REGISTRAR IS NOT REQUIRED TO
7 ISSUE an official statement ~~to the effect that a record could~~
8 ~~not be located is not required~~ AS DESCRIBED IN THIS SUBSECTION,
9 and the LOCAL REGISTRAR MAY WAIVE THE PRESCRIBED fee.
10 ~~prescribed may be waived.~~

11 (3) The state registrar or a local registrar may require an
12 applicant who requests ~~a copy,~~ a certified copy, ~~or a certifi-~~
13 ~~cate of registration~~ AN ADMINISTRATIVE USE COPY, OR A STATISTI-
14 CAL USE COPY of a vital record to provide verification of his or
15 her identity before releasing the ~~document~~ VITAL RECORD if eli-
16 gibility for the ~~document~~ VITAL RECORD is restricted pursuant
17 to section 2882.

18 (4) ~~The~~ SUBJECT TO SUBSECTION (8), THE fees for a search
19 are as follows:

20 (a) A search including ~~1 copy,~~ 1 certi-
21 fied copy, ~~or 1 certificate of registration~~ 1
22 ADMINISTRATIVE USE COPY, OR 1 STATISTICAL USE
23 COPY of a vital record or an official statement
24 ISSUED BY THE STATE REGISTRAR that a VITAL
25 record could not be located..... ~~\$13.00~~ \$15.00

26 (b) Additional identical copies ordered at
27 the same time..... ~~4.00~~ \$5.00 per copy

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1 (c) Additional years searched..... ~~4.00~~ \$4.00 per year
2 (d) ~~Exemplified copies~~ AN AUTHENTICATED
3 COPY..... ~~16.00~~ \$18.00
4 (e) Additional ~~exemplified~~ AUTHENTICATED
5 copies ordered at the same time..... ~~7.00~~ \$8.00 PER COPY
6 (f) Verification of facts delineated in
7 section 2881(2)..... ~~4.00~~ \$5.00
8 (G) A REQUEST FOR AN EXPEDITED SEARCH FOR A
9 VITAL RECORD..... \$5.00
10 (5) The fees for establishment and registration are as
11 follows:
12 (a) Application for establishment of a
13 delayed certificate of birth or death that
14 includes 1 certified copy or an official denial
15 of the application..... ~~\$26.00~~ \$30.00
16 (b) Registration of a delayed certificate
17 of birth for a foreign born adopted child that
18 includes 1 certified copy..... ~~13.00~~ \$30.00
19 (6) Upon formal application of a soldier; sailor; marine;
20 member of the coast guard; nurse; member of a women's auxiliary;
21 or a person who is entitled to a bonus or a pension or other com-
22 pensation under a law of this state, the United States, or other
23 state or territory of the United States or a service auxiliary,
24 1 certified copy of a vital record requested from the
25 ~~department~~ STATE REGISTRAR shall be furnished without charge
26 for the purpose of securing the bonus, pension, or compensation.
27 If the person entitled to the VITAL record is deceased or

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1 mentally incompetent, the copy may be furnished to an heir,
2 guardian, or legal representative of the person. THE STATE REG-
3 ISTRAR SHALL LABEL A CERTIFIED COPY FURNISHED UNDER THIS SUBSEC-
4 TION WITH THE FOLLOWING STATEMENT: "FOR VETERAN'S BENEFITS ONLY,
5 NOT FOR PERSONAL USE".

6 (7) Upon formal application, ~~a copy or~~ a certified copy of
7 a vital record shall be furnished by the state registrar or a
8 local registrar without charge ~~for official use only to a court,~~
9 ~~a department, agency, or political subdivision of this state, the~~
10 ~~United States, or another state,~~ TO a licensed child placing
11 agency REPRESENTING A CHILD for adoption purposes. ~~or to an~~
12 ~~official registrar of a foreign country. A copy or~~ THE STATE
13 REGISTRAR SHALL LABEL a certified copy provided under this sub-
14 section ~~shall be marked "for official use only"~~ WITH THE FOL-
15 LOWING STATEMENT: "FOR ADOPTION PURPOSES ONLY, NOT FOR PERSONAL
16 USE".

17 (8) Upon formal application, a person 65 years of age or
18 older shall be charged a fee of ~~-\$5.00~~ \$7.00 for a search and ~~1~~
19 ~~copy,~~ 1 certified copy ~~, or 1 certificate of registration~~ of
20 his or her birth record.

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

23 (a) Application to create a new certificate of
24 birth following an adoption; legal change of name for
25 minors; acknowledgment of paternity; sex change;
26 legitimation; order of filiation; or a request to
27 replace a court filed certificate of adoption..... \$26.00

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1 (b) Application received within 1 year of the date of
2 the event to create a new certificate of birth or death to
3 correct obvious minor errors and omissions..... ~~26.00~~ \$26.00
4 The errors and omissions that may be corrected under this subdi-
5 vision are limited to the following:

6 (i) The addition of a given first or middle name ~~when~~ IF a
7 name was not recorded at the time of filing.

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

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

11 (iv) A minor spelling change.

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

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

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

20 (b) Correcting an error ~~when~~ IF THE CORRECTION IS initi-
21 ated by the state registrar.

22 (c) Correcting a VITAL record ~~when~~ IF THE CORRECTION IS
23 requested by a COUNTY medical examiner for a case within his or
24 her jurisdiction.

25 (d) Correcting a record ~~when the change~~ IF THE CORRECTION
26 is ordered by a court of competent jurisdiction following denial

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1 by the department of an application to make ~~a change~~ THE
2 CORRECTION.

3 (e) Correcting a VITAL record ~~when~~ IF THE CORRECTION IS
4 requested ~~to do so~~ by a public agency ~~where the agency~~ THAT
5 is the guardian of the individual to whom the VITAL record
6 pertains.

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

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

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

19 (15) The state registrar or a local registrar shall not
20 charge a fee other than a fee prescribed in this section.
21 However, a local governmental unit may adopt a system of fees for
22 local registrars under the jurisdiction of the local governmental
23 unit for a search that provides for fees less than those set
24 forth in this section, and a charter county with a population of
25 more than 2,000,000 may adopt a system of fees for A LOCAL REGIS-
26 TRAR UNDER THE JURISDICTION OF that charter county that provides
27 for fees more than those set forth in this section. ~~A~~ HOWEVER,

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1 A charter county shall not impose a fee that is greater than the
2 cost of the service for which the fee is charged.

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

5 (a) The governing body of a local governmental unit that has
6 jurisdiction over a local registrar may adopt a system of fees
7 for the local registrar that provides for fees less than or equal
8 to the fees set forth in subsection (4). ~~-, or, in a~~ A charter
9 county with a population of more than 2,000,000 ~~—~~ MAY ADOPT A
10 SYSTEM OF FEES FOR A LOCAL REGISTRAR UNDER THE JURISDICTION OF
11 THAT CHARTER COUNTY THAT PROVIDES FOR FEES THAT ARE more than the
12 fees set forth in subsection (4). A charter county shall not
13 impose a fee that is greater than the cost of the service for
14 which the fee is charged. ~~The~~ A system of fees ADOPTED UNDER
15 THIS SUBDIVISION shall be used by all local registrars under the
16 jurisdiction of the local governmental unit, and shall be reason-
17 ably related to the cost incurred by the local registrar in
18 making the search.

19 (b) If a system of fees is not adopted by a local
20 registrar's local governmental unit UNDER SUBDIVISION (A), the
21 local registrar shall not charge a fee other than a fee pre-
22 scribed in subsection (4).