

# HOUSE BILL No. 4672

March 19, 2009, Introduced by Reps. Lori, Tyler, DeShazor, Bolger, Knollenberg, Genetski, Proos, Opsommer and Schuitmaker and referred to the Committee on Judiciary.

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
by amending section 2882 (MCL 333.2882), as amended by 2002 PA 691.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 2882. (1) Except as otherwise provided in section 2890,  
2       upon written request and payment of the prescribed fee, the state  
3       registrar or local registrar shall issue the appropriate 1 of the  
4       following:

5       (a) A certified copy of a live birth record, an affidavit of  
6       parentage filed after June 1, 1997, or a record of stillbirth filed  
7       after June 1, 2003 to 1 of the following:

8       (i) The individual who is the subject of the record.

9       (ii) A parent named in the record.

10      (iii) An heir, a legal representative, or a legal guardian of

1 the individual who is the subject of the record.

2 ~~—— (iv) A court of competent jurisdiction.~~

3 (b) If the live birth record is 100 or more years old, a  
4 certified copy of the live birth record to any applicant.

5 (c) A certified copy of a death record, including the cause of  
6 death, to any applicant.

7 (d) A certified copy of a marriage or divorce record to any  
8 applicant, except as provided by rule.

9 (e) A certified copy of a fetal death record that was filed  
10 before September 30, 1978, to any applicant.

11 (2) Upon written request of an adult who has been adopted and  
12 payment of the prescribed fee, the state registrar shall issue to  
13 that individual a copy of his or her original certificate of live  
14 birth, if the written request identifies the name of the adult  
15 adoptee and is accompanied by a copy of a central adoption registry  
16 clearance reply form that was completed by the ~~family independence~~  
17 ~~agency~~ **DEPARTMENT OF HUMAN SERVICES** and delivered to that  
18 individual as required by section 68(9) of the Michigan adoption  
19 code, chapter X of the probate code of 1939, 1939 PA 288, MCL  
20 710.68.

21 (3) Upon written request of a confidential intermediary  
22 appointed under section 68b of the Michigan adoption code, chapter  
23 X of the probate code of 1939, 1939 PA 288, MCL 710.68b,  
24 presentation of a certified copy of the order of appointment,  
25 identification of the name of the adult adoptee, and payment of the  
26 required fee, the state registrar shall issue to the confidential  
27 intermediary a copy of the original certificate of live birth of

1 the adult adoptee on whose behalf the intermediary was appointed.

2 (4) A copy of the original certificate of live birth provided  
3 under subsection (2) or (3) shall have the following phrase marked  
4 on the face of the copy: "This document is a copy of a sealed  
5 record and is not the active birth certificate of the individual  
6 whose name appears on this document".

7 (5) UPON WRITTEN REQUEST, THE STATE REGISTRAR OR LOCAL  
8 REGISTRAR SHALL ISSUE A CERTIFIED COPY OF A LIVE BIRTH RECORD, AN  
9 AFFIDAVIT OF PARENTAGE FILED AFTER JUNE 1, 1997, OR A RECORD OF  
10 STILLBIRTH FILED AFTER JUNE 1, 2003, AS APPLICABLE, TO 1 OF THE  
11 FOLLOWING WITHOUT THE PAYMENT OF A FEE:

12 (A) A COURT OF COMPETENT JURISDICTION.

13 (B) AN ATTORNEY-AT-LAW, COURT CLERK, OR EMPLOYEE OF A COURT  
14 CLERK WHO REQUESTS THE RECORD UNDER SECTION 5(3) OF THE  
15 ACKNOWLEDGMENT OF PARENTAGE ACT, 1996 PA 305, MCL 722.1005.

16 Enacting section 1. This amendatory act does not take effect  
17 unless Senate Bill No. \_\_\_\_ or House Bill No. 4671(request no.  
18 01971'09\*) of the 95th Legislature is enacted into law.