

BIRTH CERTIFICATES FROM STATE REGISTRAR

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4152 (proposed substitute H-2)
Sponsor: Rep. Steven Johnson

Analysis available at
<http://www.legislature.mi.gov>

House Bill 4153 (proposed substitute H-2)
Sponsor: Rep. Vanessa Guerra

Committee: Families, Children and Seniors
Complete to 3-19-19

SUMMARY:

Taken together, House Bills 4152 and 4153 would amend the Public Health Code to allow certain individuals to obtain a birth certificate that is available only from the state registrar by making a request and paying a fee to the local registrar of the jurisdiction where the individual was born or his or her adoption was ordered, rather than obtaining the record directly from the state registrar.

House Bill 4153 would define the term *allowable individual* for purposes of the Public Health Code.

Allowable individual would mean an individual who is the subject of a birth record that is available only through the office of the state registrar and who meets all of the following:

- He or she was born in the jurisdiction of the office of the local registrar where the certified copy of the birth record is being sought.
- If the individual was adopted and his or her adoption was ordered by a probate court located in the jurisdiction of the office of the local registrar where the record is being sought.

MCL 333.2803

House Bill 4152 would amend the Public Health Code to provide that if a local registrar received a written request and payment of the appropriate fee from an individual eligible to receive a certified copy of a birth record of an *allowable individual*, the local registrar would have to notify the state registrar. Upon receiving the notification, the state registrar would have to search immediately for the birth record of the allowable individual and do one of the following, as applicable:

- If the local registrar has access to the *central issuance system*, electronically transmit the birth record to the local registrar. If the local registrar does not have access to the central issuance system, the state registrar would have to mail a copy of the record to the local registrar. (However, the state registrar would not be required to transmit or mail a birth record whose request is described in section 2882(2) or (3) of the Code, which pertains to requests made by adult adoptees and

confidential intermediaries appointed under the Probate Code to act on behalf of adult adoptees.)

- If the allowable individual's birth record cannot be located after conducting the search for the record, notify the local registrar of that fact.

Central issuance system would mean the database maintained by the state registrar from which a state certified copy of a birth record may be issued.

The state registrar would have to provide the birth record or notification, as described above, without charge to the local registrar or the individual requesting the record.

MCL 333.2891

Each bill would take effect 90 days after its enactment. The bills are tie-barred to each other, which means that neither could take effect unless both were enacted.

FISCAL IMPACT:

House Bills 4152 and 4153 would increase costs by a modest amount for the Department of Health and Human Services (DHHS) in establishing that the state registrar in DHHS shall provide the service of a search and certified copy of a birth certificate without receipt of the standard fee of \$34 in certain circumstances. This would apply when payment of a local fee has been made by an individual to a local registrar, but the birth record is found to be only available from the state registrar. The state vital records program is supported by fees established under section 2891 of the Public Health Code. If the bill applies to a significant number of requests for copies of birth certificates, additional revenue may be needed to offset the cost of the uncompensated services. The Michigan vital records system totals over 32 million records.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.