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House Bill 5289 (Substitute H-2 as passed by the House)

Sponsor: Representative Julie Alexander

House Committee: Families, Children, and Seniors

Wavs and Means

Senate Committee: Families, Seniors and Veterans

Date Completed: 7-21-20

CONTENT

The bill would amend the Public Health Code to prohibit the State Registrar from charging a fee for a search and not more than two certified copies or authenticated copies of a certificate or other record of stillbirth described in the Code.

Except as otherwise provided by the Code, on receipt of a written request and payment of the prescribed fee, the State Registrar or local registrar must issue a certified copy of a live birth record, an affidavit of parentage filed after June 1, 1997, or a record of stillbirth filed after June 1, 2003, to one of the following:

- -- The individual who is the subject of the record.
- -- A parent named in the record.
- -- An heir, a legal representative, or a legal guardian of the individual who is the subject of the record.
- -- A court of competent jurisdiction.

The bill specifies that, except as otherwise provided, on receipt of a written request and payment of the prescribed fee, if any, the State Registrar or local registrar would have to issue a certified copy of a live birth record, an affidavit of parentage filed after June 1, 1997, or a certificate or other record of stillbirth filed after June 1, 2003, to the individuals described above.

Under the Code, the State Registrar or local registrar, after receiving a written request and payment of the prescribed fee, must conduct a search for a vital record for an individual who purports to be eligible under the Code or for an agency specified by the Code to receive a certified copy, administrative use copy, or a statistical use copy of the requested vital record. The Code prescribes fees for a search for a vital record and provides exemptions for those fees under certain circumstances.

Under the bill, the State Registrar could not charge a fee for a search and not more than two certified copies or authenticated copies of a certificate or other record of stillbirth.

MCL 333.2882 & 333.2891 Legislative Analyst: Tyler VanHuyse

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FISCAL IMPACT

The bill would have a negative fiscal impact on the Department of Health and Human Services (DHHS) and no fiscal impact on local units of government. Under current law, the DHHS receives a \$34 fee when an eligible individual requests a certified copy of a birth record from the State Registrar, \$16 per additional copy, and an additional \$12 if the eligible individual requests that the search be expedited. For an authenticated copy, the DHHS receives \$42 after receiving a request from an eligible individual, \$26 per additional copy, and an additional \$25 if the eligible individual requests that the search be expedited. These, and other fees, are used to support the Vital Records Program within the DHHS. This bill would result in a decrease in revenue for the State by waiving the fee for a search and up to two certified or authenticated copies of a certificate or other record of a stillbirth. According to the DHHS, between the years of 2010 and 2017, there were an average of 613 stillbirths in Michigan each year. Assuming a similar number of stillbirths happened in subsequent years, the Department would see a reduction in revenue ranging from \$20,800 to \$57,000 each year.

Fiscal Analyst: Ellyn Ackerman

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.