

SUBSTITUTE FOR  
HOUSE BILL NO. 5303

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
by amending sections 2831 and 2872 (MCL 333.2831 and 333.2872),  
section 2831 as amended by 2024 PA 25.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 2831. The state registrar shall establish a new  
2       certificate of birth for an individual born in this state when the  
3       registrar receives **any of** the following:

4       (a) A report of adoption as provided in section 2829, a report  
5       of adoption prepared and filed under the laws of another state or  
6       foreign country, or a certified copy of the adoption order,  
7       together with the information necessary to identify the original  
8       certificate of birth and to establish a new certificate of live

1 birth. However, the state registrar shall not establish a new  
2 certificate of live birth if so requested by the court ordering the  
3 adoption; the adopting parent; or the adoptee, if the adoptee is an  
4 adult.

5 (b) A request that a new certificate be established and the  
6 evidence required by the department proving that the individual's  
7 parentage has been established.

8 (c) A request that a new certificate be established to show a  
9 sex designation other than that designated at birth. The request  
10 must be accompanied by ~~an affidavit of a physician certifying that~~  
11 ~~sex-reassignment surgery has been performed.~~ **a form approved by the**  
12 **director and signed by the individual indicating a sex designation.**  
13 **If the form is accompanied by a court order changing the name of**  
14 **the individual, the new certificate must also reflect the new legal**  
15 **name. The state registrar may not require any additional document**  
16 **or certification other than the form, or, if applicable, the court**  
17 **order, required under this subdivision.**

18 (d) A judgment or a parentage judgment under section 203 or  
19 308 of the assisted reproduction and surrogacy parentage act, **2024**  
20 **PA 24, MCL 722.1803 and 722.1908**, together with the information  
21 necessary to identify the original certificate of birth and to  
22 establish a new certificate of live birth.

23 Sec. 2872. (1) Upon written request and receipt of an  
24 acknowledgment of paternity from the probate court of a child born  
25 out of wedlock, the state registrar shall create a new certificate  
26 of birth to show paternity. Upon the written request of the  
27 parents, the surname of the child ~~shall~~**must** be changed on the  
28 certificate to that designated by the parents. The certificate  
29 ~~shall~~**must** not be marked "amended". The original certificate of

1 live birth ~~shall~~**must** be sealed in accordance with section 2832.

2 (2) Upon receipt of a certified copy of a court order changing  
3 the name of an individual born in this state and upon request of  
4 the individual or the individual's parents, guardian, or legal  
5 representative, the state registrar shall affix an addendum to the  
6 individual's certificate of live birth, which ~~shall~~**must** state the  
7 individual's new name and identify the court order. The state  
8 registrar shall create a new live birth certificate and seal the  
9 original certificate only if the court order changing the  
10 individual's name specifically directs the state registrar to do so  
11 or if the request relates to a minor whose name is changed pursuant  
12 to section 1 of chapter 11 of Act No. 288 of the Public Acts of  
13 1939, as amended, being section 711.1 of the Michigan Compiled  
14 Laws, **under section 1 of chapter XI of the probate code of 1939,**  
15 **1939 PA 288, MCL 711.1.**

16 (3) **The requirement under subsection (2) that a court order**  
17 **changing the individual's name must include a specific direction to**  
18 **the state registrar for the state registrar to create a new live**  
19 **birth certificate and seal the original certificate does not apply**  
20 **to a new certificate of birth established under section 2831(c).**