



House
Legislative
Analysis
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OPEN ACCESS TO BIRTH RECORDS OVER 100 YEARS OLD

Senate Bill 128 as passed by the Senate First Analysis (5-14-97)

Sponsor: Sen. Robert Geake
**Senate Committee: Local, Urban and
State Affairs**
House Committee: Health Policy

THE APPARENT PROBLEM:

The Public Health Code allows the issuance of a live birth record only to the person who is the subject of the record; a parent named in the birth record; an heir, legal representative, or legal guardian of the subject; or a court of competent jurisdiction. People interested in genealogical and other historical research have requested legislation that would permit anyone to have access to live birth records that are 100 years old or older.

THE CONTENT OF THE BILL:

The bill would amend the Public Health Code to require the state registrar or a local registrar to issue a certified copy of a live birth record that is 100 or more years old to anyone who makes a written request and pays the prescribed fee.

MCL 333.2882

FISCAL IMPLICATIONS:

The Department of Community Health has said that there are no material budgetary or revenue implications to the bill. (Analysis dated 4-24-97)

ARGUMENTS:

For:

The bill would allow anyone access to live birth records that are 100 years old or older, which will be of benefit to people doing historical and genealogical work.

Against:

There were over 1,000 people 100 years old or older living in Michigan as of 1990, according to the Department of Community Health. Isn't this an invasion of their privacy?

Response:

A Department of Community Health analysis says that the model regulations for vital statistics of the National Center for Health Statistics recommends that birth records this old be available to anyone. This is a reasonable age for such a provision. Some states are said to have increased the age limit to 110, but there are people living at that age, too. Reportedly, there is no means by which birth and death records can be coordinated for people 100 years of age and older, so it is not possible to simply prohibit the release of birth records that are over 100 years old if the person is still living.

POSITIONS:

The Department of Community Health supports the bill.
(5-13-97)

Analyst: C. Couch

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