

HOUSE BILL No. 6300

November 12, 1998, Introduced by Reps. Brewer and Kelly and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2891 (MCL 333.2891), as amended by 1992 PA 78.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2891. (1) The state registrar or a local registrar
2 shall, upon receipt of a written request and payment of the pre-
3 scribed fee, conduct a search for a vital record for ~~persons~~ AN
4 INDIVIDUAL who ~~purport~~ PURPORTS to be eligible ~~pursuant to~~
5 UNDER section 2882 to receive a copy, certified copy, or certifi-
6 cate of registration of the requested document.
7 (2) If a search for a vital record is conducted by the state
8 registrar and the VITAL record cannot be located, the state
9 registrar shall issue an official statement to the effect that
10 ~~a~~ THE VITAL record could not be located in place of a copy OF

1 THE VITAL RECORD, a certified copy OF THE VITAL RECORD, or a
2 certificate of registration of ~~a~~ THE vital record. If ~~the~~ A
3 search FOR A VITAL RECORD is conducted by a local registrar, an
4 official statement to the effect that ~~a~~ THE VITAL record could
5 not be located is not required, and the LOCAL REGISTRAR MAY WAIVE
6 THE PRESCRIBED fee. ~~prescribed may be waived.~~

7 (3) The state registrar or a local registrar may require an
8 applicant who requests a copy OF A VITAL RECORD, a certified copy
9 OF A VITAL RECORD, or a certificate of registration of a vital
10 record to provide verification of his or her identity before
11 releasing the document if eligibility for the document is
12 restricted ~~pursuant to~~ UNDER section 2882.

13 (4) The fees for a VITAL RECORD search are as follows:

- 14 (a) A search including 1 copy, 1 certified
- 15 copy, or 1 certificate of registration of a
- 16 vital record or an official statement that a
- 17 VITAL record could not be located..... \$13.00
- 18 (b) Additional identical copies
- 19 ordered at the same time..... 4.00 per copy
- 20 (c) Additional years searched..... 4.00 per year
- 21 (d) Exemplified copies..... 16.00
- 22 (e) Additional exemplified copies ordered at
- 23 the same time..... 7.00
- 24 (f) Verification of facts delineated in sec-
- 25 tion 2881(2)..... 4.00

26 (5) The fees for establishment and registration OF A VITAL
27 RECORD are as follows:

1 (a) Application for establishment of a delayed
 2 certificate of birth or death that includes 1 certified
 3 copy or an official denial of the application..... \$26.00

4 (b) Registration of a delayed certificate of birth for
 5 a foreign born adopted child that includes 1 certified
 6 copy..... 13.00

7 (6) Upon formal application of a soldier; sailor; marine;
 8 member of the coast guard; nurse; member of a women's auxiliary;
 9 or a person who is entitled to a bonus or a pension or other com-
 10 pensation under a law of this state, the United States, or other
 11 state or territory of the United States or a service auxiliary, 1
 12 certified copy of a vital record requested from the ~~department~~
 13 STATE REGISTRAR OR A LOCAL REGISTRAR shall be furnished without
 14 charge for the purpose of securing the bonus, pension, or OTHER
 15 compensation. If the ~~person~~ INDIVIDUAL entitled to the VITAL
 16 record is deceased or mentally incompetent, the CERTIFIED copy
 17 may be furnished to an heir, guardian, or legal representative of
 18 the ~~person~~ INDIVIDUAL.

19 (7) Upon formal application, a copy or a certified copy of a
 20 vital record shall be furnished by the state registrar or a local
 21 registrar without charge for official use only to a court; TO a
 22 department, agency, or political subdivision of this state, the
 23 United States, or another state; TO THE UNITED STATES DEPARTMENT
 24 OF DEFENSE, A BRANCH OF THE UNITED STATES ARMED FORCES, OR AN
 25 AGENCY, BUREAU, DEPARTMENT, OR RECRUITING STATION OF 1 OF THOSE
 26 ENTITIES; TO a licensed child placing agency for adoption
 27 purposes; or to an official registrar of a foreign country. A

1 copy or a certified copy OF A VITAL RECORD provided under this
 2 subsection shall be marked "for official use only".

3 (8) UPON FORMAL APPLICATION, A COPY OR A CERTIFIED COPY OF A
 4 VITAL RECORD SHALL BE FURNISHED BY THE STATE REGISTRAR OR A LOCAL
 5 REGISTRAR WITHOUT CHARGE FOR ADMINISTRATIVE USE TO THE UNITED
 6 STATES DEPARTMENT OF DEFENSE, A BRANCH OF THE UNITED STATES ARMED
 7 FORCES, OR AN AGENCY, BUREAU, DEPARTMENT, OR RECRUITING STATION
 8 OF 1 OF THOSE ENTITIES.

9 (9) ~~(8)~~ Upon formal application, ~~a person~~ AN INDIVIDUAL
 10 65 years of age or older shall be charged a fee of \$5.00 for a
 11 search and 1 copy, 1 certified copy, or 1 certificate of regis-
 12 tration of his or her birth record.

13 (10) ~~(9)~~ The following fees shall be charged for the cre-
 14 ation of A new vital ~~records~~ RECORD and ~~corrections~~ THE
 15 CORRECTION of A vital ~~records~~ RECORD:

16 (a) Application to create a new certificate of
 17 birth following an adoption; legal change of name for
 18 minors; acknowledgment of paternity; sex change;
 19 legitimation; order of filiation; or ~~a~~ request to
 20 replace a court filed certificate of adoption..... \$26.00

21 (b) Application received within 1 year of the date of
 22 the event to create a new certificate of birth or death to
 23 correct obvious minor errors and omissions..... 26.00

24 The errors and omissions that may be corrected under this subdi-
 25 vision are limited to the following:

1 (i) The addition of a given first or middle name ~~when~~ IF a
2 GIVEN FIRST OR MIDDLE name was not recorded at the time of
3 filing.

4 (ii) A change to a social security number.

5 (iii) The addition of information originally specified as
6 unknown or that was omitted by error.

7 (iv) A minor spelling change.

8 (11) ~~(10)~~ A fee of \$26.00 shall be charged for an applica-
9 tion to amend birth and death records more than 1 year after the
10 date of the event for the purpose of adding information or cor-
11 recting an error in information recorded on the ~~document~~ BIRTH
12 OR DEATH RECORD.

13 (12) ~~(11)~~ A fee shall not be assessed for ~~any~~ 1 OR MORE
14 of the following:

15 (a) Changing a vital record to correct an error made within
16 the office of a local registrar or the state registrar.

17 (b) Correcting an error ~~when~~ IF THE CORRECTION IS initi-
18 ated by the state registrar.

19 (c) Correcting a VITAL record ~~when~~ IF THE CORRECTION IS
20 requested by a COUNTY medical examiner OR DEPUTY COUNTY MEDICAL
21 EXAMINER for a case within his or her jurisdiction.

22 (d) Correcting a VITAL record ~~when~~ IF the ~~change~~
23 CORRECTION is ordered by a court of competent jurisdiction fol-
24 lowing denial by the department of an application to make a
25 ~~change~~ CORRECTION.

1 (e) Correcting a VITAL record ~~when~~ IF requested to do so
2 by a public agency where the agency is the guardian of the
3 individual to whom the VITAL record pertains.

4 (13) ~~(12)~~ A fee of \$26.00 shall be charged for an applica-
5 tion to amend a birth record regarding a documented legal change
6 of name for an adult.

7 (14) ~~(13)~~ The state registrar or a local registrar with
8 approval of the state registrar may charge a reasonable fee to
9 cover the costs of special services performed pursuant to section
10 2883, 2884, or 2888.

11 (15) ~~(14)~~ Fees collected under this section by a local
12 registrar shall be deposited as the governing body of the city or
13 county directs. Fees collected under this section by the state
14 registrar shall be deposited in the state treasury and credited
15 to the general fund of this state.

16 (16) ~~(15)~~ The state registrar or a local registrar shall
17 not charge a fee other than a fee prescribed in this section.
18 However, a local governmental unit may adopt a system of fees for
19 local registrars under the jurisdiction of the local governmental
20 unit for a search that provides for fees less than those set
21 forth in this section, and a charter county with a population of
22 more than 2,000,000 may adopt a system of fees for that charter
23 county that provides for fees more than those set forth in this
24 section. A charter county shall not impose a fee that is greater
25 than the cost of the service for which the fee is charged.

26 (17) ~~(16)~~ For searches under subsection (4) a local
27 registrar shall charge fees according to the following:

1 (a) The governing body of a local governmental unit that has
2 jurisdiction over a local registrar may adopt a system of fees
3 for the local registrar that provides for fees less than or equal
4 to the fees set forth in subsection (4), or, in a charter county
5 with a population of more than 2,000,000, more than the fees set
6 forth in subsection (4). A charter county shall not impose a fee
7 that is greater than the cost of the service for which the fee is
8 charged. The system of fees ADOPTED UNDER THIS SUBDIVISION shall
9 be used by all local registrars under the jurisdiction of the
10 local governmental unit, and shall be reasonably related to the
11 cost incurred by the local registrar in making the search.

12 (b) If a system of fees is not adopted by a local
13 registrar's local governmental unit UNDER SUBDIVISION (A), the
14 local registrar shall not charge a fee other than a fee pre-
15 scribed in subsection (4).