

SUBSTITUTE FOR
HOUSE BILL NO. 4786

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 2891 (MCL 333.2891), as amended by 2004 PA
467, and by adding section 2892.

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
3 prescribed fee, conduct a search for a vital record for an
4 individual who purports to be eligible under section 2882 or for
5 an agency under section 2883(2) to receive a certified copy,
6 administrative use copy, or a statistical use copy of the
7 requested vital record.

8 (2) If a search for a vital record is conducted by the state
9 registrar and the vital record cannot be located, the state
10 registrar shall issue an official statement ~~to the effect that~~

1 the vital record could not be located ~~in place~~ **INSTEAD** of a
2 certified copy or an administrative use copy of a ~~THE~~ vital
3 record. If a search for a vital record is conducted by a local
4 registrar and the vital record cannot be located, the local
5 registrar is not required to issue an official statement as
6 described in this subsection, and the local registrar may waive
7 the prescribed fee.

8 (3) The state registrar or a local registrar may require an
9 applicant who requests a certified copy, an administrative use
10 copy, or a statistical use copy of a vital record to provide
11 verification of his or her identity before releasing the vital
12 record if eligibility for the vital record is restricted ~~pursuant~~
13 ~~to~~ **UNDER** section 2882.

14 (4) Subject to subsection (8), the fees for a search **FOR A**
15 **VITAL RECORD** are as follows:

16 (a) A search including 1 certified copy,
17 1 administrative use copy, or 1 statistical use
18 copy of a vital record or an official statement
19 issued by the state registrar that a vital record
20 could not be located..... ~~\$26.00~~ **\$ 34.00**

21 (b) Additional identical copies ordered at
22 the same time..... ~~\$12.00~~ **\$ 16.00**
23 per copy

24 (c) Additional years searched..... \$ 12.00
25 per year

26 (d) An authenticated copy..... ~~\$29.00~~ **\$ 42.00**

27 (e) Additional authenticated copies ordered

1 at the same time..... \$15.00\$ 26.00
2 per copy

3 (f) Verification of facts delineated in
4 section 2881(2)..... \$10.00\$ 18.00

5 (g) ~~A~~EXCEPT AS OTHERWISE PROVIDED IN
6 SUBDIVISION (H), A request for an expedited
7 search for a vital record UNDER THIS
8 SUBSECTION..... \$10.00\$ 12.00

9 (H) A REQUEST FOR AN EXPEDITED SEARCH
10 FOR AN AUTHENTICATED COPY OF A VITAL
11 RECORD UNDER SUBDIVISION (D)..... \$ 25.00

12 (5) The fees for establishment ~~and~~OR registration OF A
13 VITAL RECORD are as follows:

14 (a) Application for establishment of a delayed
15 certificate of birth or death that includes 1 certified
16 copy or an official denial of the application..... \$40.00\$ 50.00

17 (b) Registration of a delayed certificate of birth
18 for a foreign born adopted child that includes 1
19 certified copy..... \$40.00\$ 50.00

20 (6) Upon formal application of a soldier; sailor; marine;
21 member of the coast guard; nurse; member of a women's auxiliary;
22 or a ~~OTHER~~ person who is entitled to a bonus, ~~or~~a pension, or
23 other compensation under a law of this state, the United States,
24 or ~~other~~ANOTHER state or territory of the United States or a
25 service auxiliary FOR A VITAL RECORD FOR THE PURPOSE OF OBTAINING
26 THE BONUS, PENSION, OR COMPENSATION, THE STATE REGISTRAR SHALL

House Bill No. 4786 (H-1) as amended June 18, 2013

1 **FURNISH** 1 certified copy of a ~~THE~~ vital record requested ~~from the~~
 2 ~~state registrar shall be furnished without charge. for the~~
 3 ~~purpose of securing the bonus, pension, or compensation.~~ If the
 4 person entitled to the vital record is deceased or mentally
 5 incompetent, the ~~copy~~ **STATE REGISTRAR** may be ~~furnished~~ **FURNISH**
 6 **THE COPY** to an heir, guardian, or legal representative of the
 7 person. The state registrar shall label a certified copy
 8 furnished under this subsection with the following statement:
 9 "for veteran's benefits only, not for personal use".

10 (7) Upon formal application, **THE STATE REGISTRAR OR A LOCAL**
 11 **REGISTRAR SHALL FURNISH** a certified copy of a vital record ~~shall~~
 12 ~~be furnished by the state registrar or a local registrar without~~
 13 charge to a licensed child placing agency representing a child
 14 for adoption purposes. The state registrar **OR LOCAL REGISTRAR**
 15 shall label a certified copy provided under this subsection with
 16 the following statement: "for adoption purposes only, not for
 17 personal use".

18 (8) Upon formal application, **THE STATE REGISTRAR [**
 19 **]** **SHALL CHARGE** a person 65 years of age or older ~~shall be~~
 20 ~~charged~~ a fee of ~~\$7.00~~ **\$14.00** for a search **FOR** and 1 certified
 21 copy of his or her birth record.

22 (9) The **STATE REGISTRAR SHALL CHARGE THE** following fees
 23 ~~shall be charged~~ for the creation of new vital records and
 24 corrections of vital records:

25 (a) Application to create a new certificate of
 26 birth following an adoption; legal change of name for
 27 minors; acknowledgment of paternity; sex change;

1 legitimation; order of filiation; or a request to
2 replace a court filed certificate of adoption..... ~~\$40.00~~ \$ 50.00

3 (b) ~~Application~~ **SUBJECT TO SUBSECTION (10),**
4 **APPLICATION** received within 1 year of the date of
5 the event to create a new certificate of birth or
6 death to correct obvious minor errors and
7 omissions..... ~~\$40.00~~ \$ 50.00

8 (C) **AN APPLICATION WITH A REQUEST FOR AN**
9 **EXPEDITED CREATION OF A NEW CERTIFICATE UNDER**
10 **THIS SUBSECTION..... \$ 25.00**

11 (10) The errors and omissions that may be corrected under
12 ~~this subdivision~~ **SUBSECTION (9) (B)** are limited to the following:

13 (A) ~~(i)~~ The addition of a given first or middle name if a
14 name was not recorded at the time of filing.

15 (B) ~~(ii)~~ A change to a social security number.

16 (C) ~~(iii)~~ The addition of information originally specified as
17 unknown or that was omitted by error.

18 (D) ~~(iv)~~ A minor spelling change.

19 (11) ~~(10) A~~ **THE STATE REGISTRAR SHALL CHARGE A** fee of ~~\$40.00~~
20 ~~shall be charged~~ **\$50.00** for an application to amend birth and
21 death records more than 1 year after the date of the event for
22 the purpose of adding information or correcting an error in
23 information recorded on the document. **THE STATE REGISTRAR SHALL**
24 **CHARGE A FEE OF \$25.00 FOR AN APPLICATION WITH A REQUEST FOR AN**
25 **EXPEDITED AMENDMENT TO A BIRTH OR DEATH RECORD UNDER THIS**
26 **SUBSECTION.**

27 (12) ~~(11) A~~ **THE STATE REGISTRAR SHALL NOT CHARGE A fee shall**
28 ~~not be assessed for 1 or more~~ **ANY** of the following:

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

3 (b) Correcting an error if the correction is initiated by
4 the state registrar.

5 (c) Correcting a vital record if the correction is requested
6 by a county medical examiner for a case within his or her
7 jurisdiction.

8 (d) Correcting a record if the correction is ordered by a
9 court of competent jurisdiction following denial by the
10 department of an application to make the correction.

11 (e) Correcting a vital record if the correction is requested
12 by a public agency that is the guardian of the individual to whom
13 the vital record pertains.

14 (13) ~~(12) A THE STATE REGISTRAR SHALL CHARGE A~~ fee of \$40.00
15 ~~shall be charged \$50.00~~ for an application to amend a birth
16 record regarding a documented legal change of name for an adult.
17 **THE STATE REGISTRAR SHALL CHARGE A FEE OF \$25.00 FOR AN**
18 **APPLICATION WITH A REQUEST FOR AN EXPEDITED AMENDMENT TO A BIRTH**
19 **RECORD UNDER THIS SUBSECTION.**

20 (14) ~~(13)~~The state registrar or a local registrar with
21 approval of the state registrar may charge a reasonable fee to
22 cover the costs of special services performed pursuant to section
23 2883, 2884, or 2888.

24 (15) ~~(14) Fees~~**A LOCAL REGISTRAR SHALL DEPOSIT FEES**
25 collected under this section ~~by a local registrar shall be~~
26 ~~deposited~~as the governing body of the city or county directs.
27 ~~Fees~~**THE STATE REGISTRAR SHALL TRANSMIT FEES** collected under this

1 section by the state registrar shall be deposited in ~~TO~~ the state
2 treasury and credited to the general fund of this state. ~~TREASURER~~
3 FOR DEPOSIT INTO THE VITAL RECORDS FUND CREATED IN SECTION 2892.

4 (16) THE STATE REGISTRAR SHALL CHARGE A FEE OF \$12.00 FOR AN
5 APPLICATION FOR A COPY OR A CERTIFIED COPY OF A VITAL RECORDS-
6 RELATED DOCUMENT, INCLUDING, BUT NOT LIMITED TO, A COMPLETED
7 APPLICATION SUBMITTED UNDER THIS SECTION OR A DOCUMENT SUBMITTED
8 UNDER THIS SECTION TO SUPPORT A REQUESTED CHANGE TO A VITAL
9 RECORD.

10 (17) ~~(15)~~ The state registrar or a local registrar shall not
11 charge a fee other than a fee prescribed in this section.
12 However, a local governmental unit may adopt a system of fees for
13 local registrars under the jurisdiction of the local governmental
14 unit for a search that provides for fees less than those set
15 forth in this section, and a charter county with a population of
16 more than 2,000,000 may adopt a system of fees for a local
17 registrar under the jurisdiction of that charter county that
18 provides for fees more than those set forth in this section.
19 However, a charter county shall not impose a fee that is greater
20 than the cost of the service for which the fee is charged.

21 (18) ~~(16)~~ For searches under subsection (4), a local
22 registrar shall charge fees according to the following:

23 (a) The governing body of a local governmental unit that has
24 jurisdiction over a local registrar may adopt a system of fees
25 for the local registrar that provides for fees less than or equal
26 to the fees set forth in subsection (4). These fees shall be used
27 for the maintenance and sustenance of the vital records fees

1 program only. The fees shall alleviate any burden to the
2 taxpayers to provide this worthwhile program. A charter county
3 with a population of more than 2,000,000 may adopt a system of
4 fees for a local registrar under the jurisdiction of that charter
5 county that provides for fees that are 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. A system of fees adopted under this subdivision shall be
9 used by all local registrars under the jurisdiction of the local
10 governmental unit, and shall be reasonably related to the cost
11 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
15 prescribed in subsection (4).

16 **SEC. 2892. (1) THE VITAL RECORDS FUND IS CREATED WITHIN THE**
17 **STATE TREASURY. THE STATE TREASURER MAY RECEIVE MONEY OR OTHER**
18 **ASSETS FROM ANY SOURCE FOR DEPOSIT INTO THE VITAL RECORDS FUND.**
19 **THE STATE TREASURER SHALL DIRECT THE INVESTMENT OF MONEY OR OTHER**
20 **ASSETS IN THE VITAL RECORDS FUND. THE STATE TREASURER SHALL**
21 **CREDIT TO THE VITAL RECORDS FUND INTEREST AND EARNINGS FROM THE**
22 **INVESTMENT OF MONEY OR OTHER ASSETS IN THE VITAL RECORDS FUND.**
23 **MONEY IN THE VITAL RECORDS FUND AT THE CLOSE OF THE FISCAL YEAR**
24 **SHALL REMAIN IN THE VITAL RECORDS FUND AND SHALL NOT LAPSE TO THE**
25 **GENERAL FUND.**

26 (2) THE DEPARTMENT OF TECHNOLOGY, MANAGEMENT, AND BUDGET IS
27 THE ADMINISTRATOR OF THE FUND FOR AUDITING PURPOSES. THE

1 DEPARTMENT OF TECHNOLOGY, MANAGEMENT, AND BUDGET SHALL EXPEND
2 MONEY FROM THE FUND, UPON APPROPRIATION, ONLY FOR THE MAINTENANCE
3 AND SUSTAINABILITY OF THE SYSTEM OF VITAL STATISTICS IN THIS
4 STATE.

5 Enacting section 1. This amendatory act takes effect October
6 1, 2013.