

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 4152

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 2891 (MCL 333.2891), as amended by 2019 PA 89.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2891. (1) The state registrar or a local registrar shall,
2 on receipt of a written request and payment of the prescribed fee,
3 conduct a search for a vital record for an individual who purports
4 to be eligible under section 2882 or for an agency under section
5 2883(2) to receive a certified copy, administrative use copy, or a
6 statistical use copy of the requested vital record. **However, if a**
7 **local registrar receives a written request and payment of the fee**
8 **charged by the local registrar under this section from an**
9 **individual who purports to be eligible under section 2882 to**



1 receive a certified copy of an allowable individual's birth record,
2 the local registrar shall notify the state registrar. On receipt of
3 the notification, the state registrar shall conduct a search for
4 the allowable individual's birth record within 24 hours and shall
5 do 1 of the following, as applicable:

6 (a) If the local registrar has access to the central issuance
7 system, electronically transmit the allowable individual's birth
8 record to the local registrar. If the local registrar does not have
9 access to the central issuance system, mail a copy of the allowable
10 individual's birth record to the local registrar. This subdivision
11 does not apply to a request for a birth record described in section
12 2882(2) or (3). As used in this subdivision, "central issuance
13 system" means the database maintained by the state registrar from
14 which a state certified copy of a birth record may be issued.

15 (b) If the allowable individual's birth record cannot be
16 located after conducting the search for the record, notify the
17 local registrar of that fact.

18 (2) ~~If~~ Except as otherwise provided in subsection (1) (b), if a
19 search for a vital record is conducted by the state registrar and
20 the vital record cannot be located, the state registrar shall issue
21 an official statement that the vital record could not be located
22 instead of a certified copy or an administrative use copy of the
23 vital record. If a search for a vital record is conducted by a
24 local registrar and the vital record cannot be located, the local
25 registrar ~~is not required to~~ may issue an official statement as
26 described in this subsection, and the local registrar may waive the
27 prescribed fee.

28 (3) The state registrar or a local registrar may require an
29 applicant who requests a certified copy, an administrative use



1 copy, or a statistical use copy of a vital record to provide
2 verification of his or her identity before releasing the vital
3 record if eligibility for the vital record is restricted under
4 section 2882.

5 (4) Subject to subsection (8) or (19), the fees for a search
6 for a vital record are as follows:

- 7 (a) A search including 1 certified copy, 1
8 administrative use copy, or 1 statistical use copy
9 of a vital record or an official statement issued by
10 the state registrar that a vital record could not be
11 located..... \$34.00
- 12 (b) Additional identical copies ordered at the
13 same time..... \$16.00 per copy
- 14 (c) Additional years searched..... \$12.00 per year
- 15 (d) An authenticated copy..... \$42.00
- 16 (e) Additional authenticated copies ordered at
17 the same time..... \$26.00 per copy
- 18 (f) Verification of facts delineated in section
19 2881(2)..... \$18.00
- 20 (g) Except as otherwise provided in subdivision
21 (h), a request for an expedited search for a vital
22 record under this subsection..... \$12.00
- 23 (h) A request for an expedited search for an
24 authenticated copy of a vital record under
25 subdivision (d)..... \$25.00

26 (5) The fees for establishment or 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
3 certified copy or an official denial of the
4 application..... \$50.00

5 (b) Registration of a delayed certificate of
6 birth for a foreign born adopted child that includes
7 1 certified copy..... \$50.00

8 (6) On receipt of a formal application of a soldier; sailor;
9 marine; member of the United States Coast Guard; nurse; member of a
10 women's auxiliary; or other individual who is entitled to a bonus,
11 a pension, or other compensation under a law of this state, the
12 United States, or another state or territory of the United States
13 or a service auxiliary for a vital record for the purpose of
14 obtaining the bonus, pension, or compensation, the state registrar
15 shall furnish 1 certified copy of the vital record requested
16 without charge. If the individual who is entitled to the vital
17 record is deceased or mentally incompetent, the state registrar may
18 furnish the copy to an heir, guardian, or legal representative of
19 the individual. The state registrar shall label a certified copy
20 furnished under this subsection with the following statement: "for
21 veteran's benefits only, not for personal use".

22 (7) On receipt of a formal application, the state registrar or
23 a local registrar shall furnish a certified copy of a vital record
24 without charge to a licensed child placing agency representing a
25 child for adoption purposes. The state registrar or local registrar
26 shall label a certified copy provided under this subsection with
27 the following statement: "for adoption purposes only, not for
28 personal use".

29 (8) ~~On receipt of a formal application, the~~ **The** state



1 registrar shall **comply with all of the following:**

2 (a) **Subject to subdivision (b), upon formal application,**
3 charge an individual who is 65 years of age or older a fee of
4 \$14.00 for a search for and 1 certified copy of his or her birth
5 record.

6 (b) **If the state registrar receives notice from a local**
7 **registrar under subsection (1), conduct the search and provide the**
8 **birth record or notification as provided in that subsection without**
9 **charge to the local registrar or the individual requesting the**
10 **record.**

11 (9) The state registrar shall charge the following fees for
12 the creation of new vital records and corrections of vital records:

13 (a) Application to create a new certificate of
14 birth following an adoption; legal change of name
15 for minors; acknowledgement of paternity; sex
16 change; legitimation; order of filiation; or a
17 request to replace a court filed certificate of
18 adoption..... \$50.00

19 (b) Subject to subsection (10), application
20 received within 1 year of the date of the event to
21 create a new certificate of birth or death to
22 correct obvious minor errors and
23 omissions..... \$50.00

24 (c) An application with a request for an
25 expedited creation of a new certificate under this
26 subsection..... \$25.00

27 (10) The errors and omissions that may be corrected under
28 subsection (9)(b) are limited to the following:

29 (a) The addition of a given first or middle name if a name was



1 not recorded at the time of filing.

2 (b) A change to a Social Security number.

3 (c) The addition of information originally specified as
4 unknown or that was omitted by error.

5 (d) A minor spelling change.

6 (11) The state registrar shall charge a fee of \$50.00 for an
7 application to amend birth and death records more than 1 year after
8 the date of the event for the purpose of adding information or
9 correcting an error in information recorded on the document. The
10 state registrar shall charge a fee of \$25.00 for an application
11 with a request for an expedited amendment to a birth or death
12 record under this subsection.

13 (12) The state registrar shall not charge a fee for any of the
14 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 if the correction is initiated by the
18 state registrar.

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

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

25 (e) Correcting a vital record if the correction is requested
26 by a public agency that is the guardian of the individual to whom
27 the vital record pertains.

28 (13) The state registrar shall charge a fee of \$50.00 for an
29 application to amend a birth record regarding a documented legal



1 change of name for an adult. The state registrar shall charge a fee
2 of \$25.00 for an application with a request for an expedited
3 amendment to a birth record under this subsection.

4 (14) The state registrar or a local registrar with approval of
5 the state registrar may charge a reasonable fee to cover the costs
6 of special services performed under section 2883, 2884, or 2888.

7 (15) A local registrar shall deposit fees collected under this
8 section as the governing body of the city or county directs. The
9 state registrar shall transmit fees collected under this section to
10 the state treasurer for deposit into the vital records fund created
11 in section 2892.

12 (16) The state registrar shall charge a fee of \$12.00 for an
13 application for a copy or a certified copy of a vital records-
14 related document, including, but not limited to, a completed
15 application submitted under this section or a document submitted
16 under this section to support a requested change to a vital record.

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

28 (18) For searches under subsection (4), a local registrar
29 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 for
3 the local registrar that provides for fees less than or equal to
4 the fees set forth in subsection (4). These fees must only be used
5 for the maintenance and sustenance of the vital records fees
6 program, to alleviate any burden to the taxpayers to provide this
7 worthwhile program. A charter county with a population of more than
8 2,000,000 may adopt a system of fees for a local registrar under
9 the jurisdiction of that charter county that provides for fees that
10 are more than the fees set forth in subsection (4). A charter
11 county shall not impose a fee that is greater than the cost of the
12 service for which the fee is charged. A system of fees adopted
13 under this subdivision must be used by all local registrars under
14 the jurisdiction of the local governmental unit and must be
15 reasonably related to the cost incurred by the local registrar in
16 making the search.

17 (b) If a system of fees is not adopted by a local registrar's
18 local governmental unit under subdivision (a), the local registrar
19 shall not charge a fee other than a fee prescribed in subsection
20 (4).

21 (19) On receipt of a formal application, the state registrar
22 shall conduct a search for and furnish to an individual 1 certified
23 copy of the individual's vital record, without charge, if the
24 individual presents all of the following to the state registrar:

25 (a) A homeless verification letter that states that the
26 individual meets the definition of category 1 homeless as that term
27 is defined by the United States Department of Housing and Urban
28 Development. A verification letter provided under this subdivision
29 must be submitted on the official letterhead of a public service



1 agency. The department may verify the information contained in the
2 letter with the agency of issuance before issuing a certified copy
3 of the vital record.

4 (b) A photo identification card for the individual that is
5 generated from the United States Department of Housing and Urban
6 Development homeless management information system.

7 (c) Any information required by the state registrar under
8 subsection (3).

9 Enacting section 1. This amendatory act takes effect 90 days
10 after the date it is enacted into law.

11 Enacting section 2. This amendatory act does not take effect
12 unless House Bill No. 4153 of the 100th Legislature is enacted into
13 law.

