

**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 2013 PA 136.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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



1 section 2882 to receive a certified copy of an allowable
2 individual's birth record, the local registrar shall notify the
3 state registrar. Upon receiving the notification, the state
4 registrar shall conduct a search for the allowable individual's
5 birth record within 24 hours and shall do 1 of the following, as
6 applicable:

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

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

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

29 (3) The state registrar or a local registrar may require an



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

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

8 (a) A search including 1 certified copy, 1
9 administrative use copy, or 1 statistical use copy of a
10 vital record or an official statement issued by the state
11 registrar that a vital record could not be located..... \$ 34.00

12 (b) Additional identical copies ordered at the same
13 time..... \$ 16.00
14 per copy

15 (c) Additional years searched..... \$ 12.00
16 per year

17 (d) An authenticated copy..... \$ 42.00

18 (e) Additional authenticated copies ordered at the
19 same time..... \$ 26.00
20 per copy

21 (f) Verification of facts delineated in section
22 2881(2)..... \$ 18.00

23 (g) Except as otherwise provided in subdivision (h),
24 a request for an expedited search for a vital record
25 under this subsection..... \$ 12.00

26 (h) A request for an expedited search for an
27 authenticated copy of a vital record under subdivision
28 (d)..... \$ 25.00

29 (5) The fees for establishment or registration of a vital



1 record are as follows:

2 (a) Application for establishment of a delayed
3 certificate of birth or death that includes 1 certified
4 copy or an official denial of the application..... \$ 50.00

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

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

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



1 (8) ~~Upon formal application, the~~ **The** state registrar shall
2 **comply with all of the following:**

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

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

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

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

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

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

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

27 (a) The addition of a given first or middle name if a name was
28 not recorded at the time of filing.

29 (b) A change to a ~~social security~~ **Social Security** number.



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

3 (d) A minor spelling change.

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

11 (12) The state registrar shall not charge a fee for any of the
12 following:

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

15 (b) Correcting an error if the correction is initiated by the
16 state registrar.

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

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

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

26 (13) The state registrar shall charge a fee of \$50.00 for an
27 application to amend a birth record regarding a documented legal
28 change of name for an adult. The state registrar shall charge a fee
29 of \$25.00 for an application with a request for an expedited



1 amendment to a birth record under this subsection.

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

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

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

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

27 (18) For searches under subsection (4), a local registrar
28 shall charge fees according to the following:

29 (a) The governing body of a local governmental unit that has



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

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

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

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

