

HOUSE BILL No. 4421

March 9, 1989, Introduced by Reps. Jonker, Perry Bullard, Scott, DeMars, Hart, Niederstadt and Honigman and referred to the Committee on Judiciary.

A bill to amend sections 2832 and 2881 of Act No. 368 of the Public Acts of 1978, entitled as amended

"Public health code,"

section 2881 as amended by Act No. 83 of the Public Acts of 1987, being sections 333.2832 and 333.2881 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 2832 and 2881 of Act No. 368 of the
2 Public Acts of 1978, section 2881 as amended by Act No. 83 of the
3 Public Acts of 1987, being sections 333.2832 and 333.2881 of the
4 Michigan Compiled Laws, are amended to read as follows:

5 Sec. 2832. (1) When a new certificate of live birth is
6 established, the actual place and date of birth shall be shown.
7 The new certificate shall be substituted for the original
8 certificate of live birth. Thereafter, the original certificate

1 and the evidence of adoption, paternity, legitimation, or sex
2 designation are not subject to inspection except upon a court
3 order, OR EXCEPT AS OTHERWISE PROVIDED IN SECTION 2881(3).

4 (2) Upon receipt of notice of annulment of adoption, the
5 original certificate of live birth shall be restored to its place
6 in the files. The certificate created under subsection (1) is
7 not subject to inspection except upon a court order.

8 (3) If a certificate of live birth is not on file for the
9 individual for whom a new live birth certificate is to be estab-
10 lished under section 2831, a new live birth certificate may be
11 prepared on the delayed birth certificate form in use at the time
12 of adoption, legitimation, or paternity determination.

13 (4) ~~When~~ EXCEPT AS OTHERWISE PROVIDED IN SECTION 2881(3),
14 IF a new certificate of live birth is established by the state
15 registrar, all copies of the original certificate of birth in the
16 custody of a custodian of permanent records in this state shall
17 be sealed from inspection or forwarded to the state registrar, as
18 the state registrar directs.

19 Sec. 2881. (1) The procedures established by the department
20 pursuant to part 26 to protect the confidentiality of records and
21 to regulate the disclosure of data contained in a departmental
22 data system or system of records are applicable to the system of
23 vital statistics.

24 (2) Except as otherwise provided in section 2890, upon writ-
25 ten request and payment of the prescribed fee, the state regis-
26 trar or local registrar shall verify for any person the following
27 facts:

1 (a) The name or names of the individual to whom the vital
2 record pertains.

3 (b) The nature of the event.

4 (c) The date of the event.

5 (d) The place of the event.

6 (e) The date of filing.

7 (3) Upon written request of an ~~adult person~~ INDIVIDUAL who
8 has been adopted AND WHO IS NOT LESS THAN 18 YEARS OF AGE, and
9 payment of a fee as prescribed in section 2891, the department
10 shall inform the requester of the name and location of the court
11 which finalized the adoption AND, WITHIN 60 DAYS AFTER RECEIPT OF
12 THE REQUEST, PROVIDE THE REQUESTER WITH A NONCERTIFIED COPY OF
13 HIS OR HER ORIGINAL CERTIFICATE OF BIRTH.

14 (4) IF A BIOLOGICAL PARENT OF AN ADOPTED INDIVIDUAL HAS
15 FILED A DENIAL OF RELEASE OF IDENTIFYING INFORMATION CONCERNING
16 THE ADOPTED INDIVIDUAL PURSUANT TO SECTION 27 OF CHAPTER X OF ACT
17 NO. 288 OF THE PUBLIC ACTS OF 1939, BEING SECTION 710.27 OF THE
18 MICHIGAN COMPILED LAWS, THE DEPARTMENT SHALL ALTER THE ORIGINAL
19 BIRTH CERTIFICATE TO REMOVE IDENTIFYING INFORMATION CONCERNING
20 THAT BIOLOGICAL PARENT FROM THE BIRTH CERTIFICATE AND SHALL
21 INSERT ON THE ALTERED BIRTH CERTIFICATE WHERE THE INFORMATION HAS
22 BEEN DELETED THE STATEMENT "THIS INFORMATION HAS BEEN WITHHELD
23 PURSUANT TO SECTION 2881(4) OF THE PUBLIC HEALTH CODE".