

SENATE BILL No. 1301

May 30, 2000, Introduced by Senator SCHWARZ 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 OR FOR AN AGENCY UNDER SECTION 2883(2) to
6 receive a ~~copy,~~ certified copy, ~~or certificate of~~
7 ~~registration~~ ADMINISTRATIVE USE COPY, OR A STATISTICAL USE COPY
8 of the requested ~~document~~ VITAL RECORD.

9 (2) If a search for a vital record is conducted by the state
10 registrar and the VITAL record cannot be located, the state

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1 registrar shall issue an official statement to the effect that
 2 ~~a~~ THE VITAL record could not be located in place of ~~a copy,~~ a
 3 certified copy ~~,~~ or ~~a certificate of registration~~ AN ADMINIS-
 4 TRATIVE USE COPY of a vital record. If ~~the~~ A search FOR A
 5 VITAL RECORD is conducted by a local registrar AND THE VITAL
 6 RECORD CANNOT BE LOCATED, THE LOCAL REGISTRAR IS NOT REQUIRED TO
 7 ISSUE an official statement ~~to the effect that a record could~~
 8 ~~not be located is not required~~ AS DESCRIBED IN THIS SUBSECTION,
 9 and the LOCAL REGISTRAR MAY WAIVE THE PRESCRIBED fee.

10 ~~prescribed may be waived.~~

11 (3) The state registrar or a local registrar may require an
 12 applicant who requests ~~a copy,~~ a certified copy, ~~or a certifi-~~
 13 ~~cate of registration~~ AN ADMINISTRATIVE USE COPY, OR A STATISTI-
 14 CAL USE COPY of a vital record to provide verification of his or
 15 her identity before releasing the ~~document~~ VITAL RECORD if eli-
 16 gibility for the ~~document~~ VITAL RECORD is restricted pursuant
 17 to section 2882.

18 (4) ~~The~~ SUBJECT TO SUBSECTION (8), THE fees for a search
 19 are as follows:

20 (a) A search including ~~1 copy,~~ 1 certi-
 21 fied copy, ~~or 1 certificate of registration~~ 1
 22 ADMINISTRATIVE USE COPY, OR 1 STATISTICAL USE
 23 COPY of a vital record or an official statement
 24 ISSUED BY THE STATE REGISTRAR that a VITAL
 25 record could not be located..... ~~\$13.00~~ \$15.00

26 (b) Additional identical copies ordered at
 27 the same time..... ~~4.00~~ \$5.00 per copy

- 1 (c) Additional years searched..... ~~4.00~~ \$4.00 per year
- 2 (d) ~~Exemplified copies~~ AN AUTHENTICATED
- 3 COPY..... ~~16.00~~ \$18.00
- 4 (e) Additional ~~exemplified~~ AUTHENTICATED
- 5 copies ordered at the same time..... ~~7.00~~ \$8.00 PER COPY
- 6 (f) Verification of facts delineated in
- 7 section 2881(2)..... ~~4.00~~ \$5.00
- 8 (G) A REQUEST FOR AN EXPEDITED SEARCH FOR A
- 9 VITAL RECORD..... \$5.00

10 (5) The fees for establishment and registration are as
 11 follows:

- 12 (a) Application for establishment of a
- 13 delayed certificate of birth or death that
- 14 includes 1 certified copy or an official denial
- 15 of the application..... ~~\$26.00~~ \$30.00
- 16 (b) Registration of a delayed certificate
- 17 of birth for a foreign born adopted child that
- 18 includes 1 certified copy..... ~~13.00~~ \$30.00

19 (6) Upon formal application of a soldier; sailor; marine;
 20 member of the coast guard; nurse; member of a women's auxiliary;
 21 or a person who is entitled to a bonus or a pension or other com-
 22 pensation under a law of this state, the United States, or other
 23 state or territory of the United States or a service auxiliary,
 24 1 certified copy of a vital record requested from the
 25 ~~department~~ STATE REGISTRAR shall be furnished without charge
 26 for the purpose of securing the bonus, pension, or compensation.
 27 If the person entitled to the VITAL record is deceased or

1 mentally incompetent, the copy may be furnished to an heir,
2 guardian, or legal representative of the person. THE STATE REG-
3 ISTRAR SHALL LABEL A CERTIFIED COPY FURNISHED UNDER THIS SUBSEC-
4 TION WITH THE FOLLOWING STATEMENT: "FOR VETERAN'S BENEFITS ONLY,
5 NOT FOR PERSONAL USE".

6 (7) Upon formal application, ~~a copy or~~ a certified copy of
7 a vital record shall be furnished by the state registrar or a
8 local registrar without charge ~~for official use only to a court,~~
9 ~~a department, agency, or political subdivision of this state, the~~
10 ~~United States, or another state;~~ TO a licensed child placing
11 agency REPRESENTING A CHILD for adoption purposes. ~~or to an~~
12 ~~official registrar of a foreign country. A copy or~~ THE STATE
13 REGISTRAR SHALL LABEL a certified copy provided under this sub-
14 section ~~shall be marked "for official use only"~~ WITH THE FOL-
15 LOWING STATEMENT: "FOR ADOPTION PURPOSES ONLY, NOT FOR PERSONAL
16 USE".

17 (8) Upon formal application, a person 65 years of age or
18 older shall be charged a fee of ~~-\$5.00~~ \$7.00 for a search and ~~1~~
19 ~~copy,~~ 1 certified copy ~~, or 1 certificate of registration~~ of
20 his or her birth record.

21 (9) The following fees shall be charged for the creation of
22 new vital records and corrections of vital records:

- 23 (a) Application to create a new certificate of
- 24 birth following an adoption; legal change of name for
- 25 minors; acknowledgment of paternity; sex change;
- 26 legitimation; order of filiation; or a request to
- 27 replace a court filed certificate of adoption..... \$26.00

1 (b) Application received within 1 year of the date of
2 the event to create a new certificate of birth or death to
3 correct obvious minor errors and omissions..... ~~26.00~~ \$26.00

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

6 (i) The addition of a given first or middle name ~~when~~ IF a
7 name was not recorded at the time of filing.

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

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

11 (iv) A minor spelling change.

12 (10) A fee of \$26.00 shall be charged for an application to
13 amend birth and death records more than 1 year after the date of
14 the event for the purpose of adding information or correcting an
15 error in information recorded on the document.

16 (11) A fee shall not be assessed for ~~any~~ 1 OR MORE of the
17 following:

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

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

22 (c) Correcting a VITAL record ~~when~~ IF THE CORRECTION IS
23 requested by a COUNTY medical examiner for a case within his or
24 her jurisdiction.

25 (d) Correcting a record ~~when the change~~ IF THE CORRECTION
26 is ordered by a court of competent jurisdiction following denial

1 by the department of an application to make ~~a change~~ THE
2 CORRECTION.

3 (e) Correcting a VITAL record ~~when~~ IF THE CORRECTION IS
4 requested ~~to do so~~ by a public agency ~~where the agency~~ THAT
5 is the guardian of the individual to whom the VITAL record
6 pertains.

7 (12) A fee of \$26.00 shall be charged for an application to
8 amend a birth record regarding a documented legal change of name
9 for an adult.

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

14 (14) Fees collected under this section by a local registrar
15 shall be deposited as the governing body of the city or county
16 directs. Fees collected under this section by the state regis-
17 trar shall be deposited in the state treasury and credited to the
18 general fund of this state.

19 (15) The state registrar or a local registrar shall not
20 charge a fee other than a fee prescribed in this section.
21 However, a local governmental unit may adopt a system of fees for
22 local registrars under the jurisdiction of the local governmental
23 unit for a search that provides for fees less than those set
24 forth in this section, and a charter county with a population of
25 more than 2,000,000 may adopt a system of fees for A LOCAL REGIS-
26 TRAR UNDER THE JURISDICTION OF that charter county that provides
27 for fees more than those set forth in this section. ~~A~~ HOWEVER,

1 A charter county shall not impose a fee that is greater than the
2 cost of the service for which the fee is charged.

3 (16) For searches under subsection (4) a local registrar
4 shall charge fees according to the following:

5 (a) The governing body of a local governmental unit that has
6 jurisdiction over a local registrar may adopt a system of fees
7 for the local registrar that provides for fees less than or equal
8 to the fees set forth in subsection (4). ~~, or, in a~~ A charter
9 county with a population of more than 2,000,000 ~~,~~ MAY ADOPT A
10 SYSTEM OF FEES FOR A LOCAL REGISTRAR UNDER THE JURISDICTION OF
11 THAT CHARTER COUNTY THAT PROVIDES FOR FEES THAT ARE more than the
12 fees set forth in subsection (4). A charter county shall not
13 impose a fee that is greater than the cost of the service for
14 which the fee is charged. ~~The~~ A system of fees ADOPTED UNDER
15 THIS SUBDIVISION shall be used by all local registrars under the
16 jurisdiction of the local governmental unit, and shall be reason-
17 ably related to the cost incurred by the local registrar in
18 making the search.

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

23 (17) AT THE BEGINNING OF EACH STATE FISCAL YEAR, THE DEPART-
24 MENT MAY INCREASE THE FEES COLLECTED UNDER THIS SECTION BY A PER-
25 CENTAGE AMOUNT EQUAL TO NOT MORE THAN THE AVERAGE PERCENTAGE WAGE
26 AND SALARY INCREASE GRANTED FOR THAT FISCAL YEAR TO CLASSIFIED
27 CIVIL SERVICE EMPLOYEES EMPLOYED BY THE DEPARTMENT. IF THE

1 DEPARTMENT INCREASES FEES UNDER THIS SUBSECTION, THE INCREASE IS
2 EFFECTIVE FOR THAT FISCAL YEAR. THE DEPARTMENT SHALL USE THE
3 INCREASED FEES AS THE BASIS FOR CALCULATING FEE INCREASES IN SUB-
4 SEQUENT FISCAL YEARS. BY AUGUST 1 OF EACH YEAR, THE DEPARTMENT
5 SHALL PROVIDE TO THE DIRECTOR OF THE DEPARTMENT OF MANAGEMENT AND
6 BUDGET AND THE CHAIRPERSONS OF THE APPROPRIATIONS COMMITTEES OF
7 THE SENATE AND HOUSE OF REPRESENTATIVES A COMPLETE SCHEDULE OF
8 FEES TO BE COLLECTED UNDER THIS SECTION FOR THE FOLLOWING FISCAL
9 YEAR.