

HOUSE BILL NO. 4853

August 28, 2019, Introduced by Rep. Brann and referred to the Committee on Appropriations.

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~~**on** 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.

1 (2) If a search for a vital record is conducted by the state
 2 registrar and the vital record cannot be located, the state
 3 registrar shall issue an official statement that the vital record
 4 could not be located instead of a certified copy or an
 5 administrative use copy of the vital record. If a search for a
 6 vital record is conducted by a local registrar and the vital record
 7 cannot be located, the local registrar is not required to issue an
 8 official statement as described in this subsection, and the local
 9 registrar may waive the prescribed fee.

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

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

- 18 (a) A search including 1 certified copy, 1
 19 administrative use copy, or 1 statistical use copy of
 20 a vital record or an official statement issued by the
 21 state registrar that a vital record could not be
 22 located..... \$ 34.00
- 23 (b) Additional identical copies ordered at the \$ 16.00
 24 same time..... per copy
- 25 (c) Additional years searched..... \$ 12.00
 26 per year
- 27 (d) An authenticated copy..... \$ 42.00
- 28 (e) Additional authenticated copies ordered at \$ 26.00
 29 the same time..... per copy

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

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

6 (h) A request for an expedited search for an
7 authenticated copy of a vital record under subdivision
8 (d)..... \$ 25.00

9 (5) The fees for establishment or registration of a vital
10 record are as follows:

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

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

18 (6) ~~Upon~~ **On receipt of a** formal application of a soldier;
19 sailor; marine; member of the ~~coast guard;~~ **United States Coast**
20 **Guard;** nurse; member of a women's auxiliary; or other ~~person~~
21 **individual** who is entitled to a bonus, a pension, or other
22 compensation under a law of this state, the United States, or
23 another state or territory of the United States or a service
24 auxiliary for a vital record for the purpose of obtaining the
25 bonus, pension, or compensation, the state registrar shall furnish
26 1 certified copy of the vital record requested without charge. If
27 the ~~person~~ **individual who is** entitled to the vital record is
28 deceased or mentally incompetent, the state registrar may furnish
29 the copy to an heir, guardian, or legal representative of the

1 ~~person.~~**individual.** The state registrar shall label a certified
2 copy furnished under this subsection with the following statement:
3 "for veteran's benefits only, not for personal use".

4 (7) ~~Upon~~**On receipt of a** formal application, the state
5 registrar or a local registrar shall furnish a certified copy of a
6 vital record without charge to a licensed child placing agency
7 representing a child for adoption purposes. The state registrar or
8 local registrar shall label a certified copy provided under this
9 subsection with the following statement: "for adoption purposes
10 only, not for personal use".

11 (8) ~~Upon~~**On receipt of a** formal application, the state
12 registrar shall charge ~~a person~~**an individual who is** 65 years of
13 age or older a fee of \$14.00 for a search for and 1 certified copy
14 of his or her birth record.

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

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

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

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

29 (10) The errors and omissions that may be corrected under

1 subsection (9) (b) are limited to the following:

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

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

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

7 (d) A minor spelling change.

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

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

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

19 (b) Correcting an error if the correction is initiated by the
20 state registrar.

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

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

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

1 (13) The state registrar shall charge a fee of \$50.00 for an
2 application to amend a birth record regarding a documented legal
3 change of name for an adult. The state registrar shall charge a fee
4 of \$25.00 for an application with a request for an expedited
5 amendment to a birth record under this subsection.

6 (14) The state registrar or a local registrar with approval of
7 the state registrar may charge a reasonable fee to cover the costs
8 of special services performed ~~pursuant to~~ **under** section 2883, 2884,
9 or 2888.

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

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

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

1 is charged.

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

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

20 (b) If a system of fees is not adopted by a local registrar's
21 local governmental unit under subdivision (a), the local registrar
22 shall not charge a fee other than a fee prescribed in subsection
23 (4).

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

28 (a) **A homeless verification letter that states that the**
29 **individual meets the definition of category 1 homeless as that term**

1 is defined by the United States Department of Housing and Urban
2 Development. A verification letter provided under this subdivision
3 must be submitted on the official letterhead of a public service
4 agency. The department may verify the information contained in the
5 letter with the agency of issuance before issuing a certified copy
6 of the vital record.

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

10 (c) Any information required by the state registrar under
11 subsection (3).