

SENATE BILL No. 461

August 22, 1991, Introduced by Senator EHLERS and referred to the Committee on Health Policy.

A bill to amend section 2891 of Act No. 368 of the Public Acts of 1978, entitled as amended
"Public health code,"
as amended by Act No. 296 of the Public Acts of 1984, being section 333.2891 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 2891 of Act No. 368 of the Public Acts
2 of 1978, as amended by Act No. 296 of the Public Acts of 1984,
3 being section 333.2891 of the Michigan Compiled Laws, is amended
4 to read as follows:

5 Sec. 2891. (1) The state registrar or a local registrar
6 shall, upon receipt of a written request and payment of the pre-
7 scribed fee, conduct a search for a vital record for persons who
8 purport to be eligible pursuant to section 2882 to receive a

1 copy, certified copy, or certificate of registration of the
2 requested document.

3 (2) If a search for a vital record is conducted by the state
4 registrar and the record cannot be located, the state registrar
5 shall issue an official statement to the effect that a record
6 could not be located in place of a copy, a certified copy, or a
7 certificate of registration of a vital record. If the search is
8 conducted by a local registrar, an official statement to the
9 effect that a record could not be located is not required and the
10 fee 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 certificate
13 of registration of a vital record to provide verification of his
14 or her identity before releasing the document if eligibility for
15 the document is restricted pursuant to section 2882.

16 (4) The fees for a search are as follows:

17 (a) A search including 1 copy, 1 certified
18 copy, or 1 certificate of registration of a
19 vital record or an official statement that a
20 record could not be located..... ~~-\$10.00-~~ \$13.00

21 (b) Additional identical copies
22 ordered at the same time..... ~~-3.00-~~ 4.00 per copy

23 (c) Additional years searched..... ~~-3.00-~~ 4.00 per year

24 (d) Exemplified copies..... ~~-12.00-~~ 16.00

25 (e) Additional exemplified copies ordered at
26 the same time..... ~~-5.00-~~ 7.00

1 (f) Verification of facts delineated in
 2 section 2881(2)..... ~~3.00~~ 4.00

3 (5) The fees for establishment and registration are as
 4 follows:

5 (a) Application for establishment of a delayed certif-
 6 icate of birth or death ~~which~~ THAT includes 1 certified
 7 copy or an official denial of the application.... ~~\$20.00~~ \$26.00

8 (b) Registration of a delayed certificate of birth for
 9 a foreign born adopted child ~~which~~ THAT includes 1 certi-
 10 fied copy..... ~~10.00~~ 13.00

11 (6) Upon formal application of a soldier; sailor; marine;
 12 member of the coast guard; nurse; member of a women's auxiliary;
 13 or a person who is entitled to a bonus or a pension or other com-
 14 pensation under a law of this state, the United States, or other
 15 state or territory of the United States or a service auxiliary, 1
 16 certified copy of a vital record requested from the department
 17 shall be furnished without charge for the purpose of securing the
 18 bonus, pension, or compensation. If the person entitled to the
 19 record is deceased or mentally incompetent, the copy may be fur-
 20 nished to an heir, guardian, or legal representative of the
 21 person.

22 (7) Upon formal application, a copy or a certified copy of a
 23 vital record shall be furnished by the state registrar or a local
 24 registrar without charge for official use only to a court; a
 25 department, agency, or political subdivision of this state, the
 26 United States, or another state; a licensed child ~~placement~~
 27 PLACING agency for adoption purposes; or to an official registrar

1 of a foreign country. A copy or a certified copy provided under
2 this subsection shall be marked "for official use only".

3 (8) Upon formal application, a person 65 years of age or
4 older shall be charged a fee of ~~-\$2.00-~~ \$5.00 for a search and 1
5 copy, 1 certified copy, or 1 certificate of registration of his
6 or her birth record.

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

9 (a) Application to create a new certificate of
10 birth following an adoption; legal change of name for
11 minors; acknowledgment of paternity; sex change;
12 legitimation; order of filiation; ~~issued before~~
13 ~~September 30, 1978,~~ or a request to replace a court
14 filed certificate of adoption..... ~~-\$20.00-~~ \$26.00

15 (b) Application received within 1 year of the date of
16 the event to create a new certificate of birth or death to
17 correct obvious minor errors and omissions..... ~~-20.00-~~ 26.00
18 The errors and omissions THAT MAY BE CORRECTED UNDER THIS
19 SUBDIVISION are limited to the following:

20 (i) The addition of a given first or middle name when a name
21 was not recorded at the time of filing.

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

23 (iii) The addition of information originally specified as
24 unknown or ~~which~~ THAT was omitted by error.

25 (iv) A minor spelling change.

26 (10) A fee of ~~-\$20.00-~~ \$26.00 shall be charged for an
27 application to amend birth and death records more than 1 year

1 after the date of the event for the purpose of adding information
2 or correcting an error in information recorded on the document.

3 (11) A fee shall not be assessed for any of the following:

4 (a) ~~A change of~~ CHANGING a vital record to correct an
5 error made within the office of a local registrar or the state
6 registrar.

7 (b) Correcting an error when initiated by the state
8 registrar.

9 (c) Correcting a record when requested by a medical examiner
10 for a case within his or her jurisdiction.

11 (d) Correcting a record when the change is ordered by a
12 court of competent jurisdiction following denial BY THE
13 DEPARTMENT of an application to make a change. ~~by the~~
14 ~~department.~~

15 (e) Correcting a record when requested to do so by a public
16 agency where the agency is the guardian of the individual to whom
17 the record pertains.

18 (12) A fee of ~~-\$20.00~~ \$26.00 shall be charged for an appli-
19 cation to amend a birth record regarding a documented legal
20 change of name FOR AN ADULT.

21 (13) The state registrar or a local registrar with approval
22 of the state registrar may charge a reasonable fee to cover the
23 costs of special services performed pursuant to section 2883,
24 2884, or 2888.

25 (14) Fees collected under this section by a local registrar
26 shall be deposited as the governing body of the city or county
27 directs. Fees collected under this section by the state

1 registrar shall be deposited in the state treasury and credited
2 to the general fund of this state.

3 (15) The state registrar or a local registrar shall not
4 charge a fee other than a fee prescribed in this section.
5 However, a local governmental unit may adopt a system of fees for
6 local registrars under the jurisdiction of the local governmental
7 unit for a search ~~which~~ THAT provides for fees less than those
8 set forth in this section, and a charter county with a population
9 of more than 2,000,000 may adopt a system of fees for that
10 charter county ~~which~~ THAT provides for fees more than those set
11 forth in this section. A charter county shall not impose a fee
12 ~~which~~ THAT is greater than the cost of the service for which
13 the fee is charged.

14 (16) For searches under subsection (4) a local registrar
15 shall charge fees according to the following: ~~provisions:~~

16 (a) The governing body of a local governmental unit ~~which~~
17 THAT has jurisdiction over a local registrar may adopt a system
18 of fees for the local registrar ~~which~~ THAT provides for fees
19 less than or equal to the fees set forth in subsection (4), or,
20 in a charter county with a population of more than 2,000,000,
21 more than the fees set forth in subsection (4). A charter county
22 shall not impose a fee ~~which~~ THAT is greater than the cost of
23 the service for which the fee is charged. The system of fees
24 shall be used by all local registrars under the jurisdiction of
25 the local governmental unit, and shall be reasonably related to
26 the cost incurred by the local registrar in making the search.

1 (b) If a system of fees is not adopted by a local
2 registrar's local governmental unit, the local registrar shall
3 not charge a fee other than a fee prescribed in subsection (4).