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Senate Bill 1301 (as passed by the Senate)  
 Sponsor: Senator John J. H. Schwarz, M.D.  
 Committee: Health Policy

Date Completed: 7-6-00

**RATIONALE**

The Department of Community Health (DCH) maintains the State's vital records, that is, records of birth, death, marriage, and divorce, and acknowledgments of parentage. The Department reports that it keeps over 30 million records, some dating back to 1867. The records are used for historical purposes as well as to compile vital statistics and to verify identification for such things as employment, adoption, international travel, and qualification for survivor, veterans, and public benefits. The Department receives thousands of requests for records each week and, reportedly, the frequency of requests is increasing. The Public Health Code prescribes a list of fees that a person must pay to request a search for, and copies of, vital records. The fees were last increased in 1992. According to the Department, the current fee schedule does not support the provision of vital records services. It has been suggested

that the fees be raised, and the DCH be allowed to adjust the fees annually in order to reflect wage increases for DCH employees.

**CONTENT**

**The bill would amend the Public Health Code to increase fees for vital records searches and for copies of vital records; allow the Department of Community Health to adjust the fees each year based upon the wages of DCH employees; and establish a new \$5 fee for an expedited search for a vital record.**

Under the Code, the State Registrar or a local registrar must conduct a search for a vital record, upon written request and payment of the prescribed fee, by an individual or entity eligible to request the record. The bill would increase the following fees:

	Current	Proposed
Search plus certified copy, administrative use copy, or statistical use copy of a vital record	\$13	\$15
Search plus copy of birth record (person 65 or older)	\$5	\$7
Additional identical copy	\$4	\$5
Authenticated copy	\$16	\$18
Additional authenticated copy	\$7	\$8
Verification of facts	\$4	\$5
Application for delayed birth or death certificate	\$26	\$30
Registration of delayed birth certificate for foreign born adopted child	\$13	\$30

At the beginning of each State fiscal year, the DCH could increase the vital records fees by a percentage amount equal to not more than the average percentage wage and salary increase granted for that fiscal year to classified employees of the DCH. The Department would have to use the increased

fees as the basis for calculating fee increases in subsequent fiscal years. By August 1 each year, the DCH would have to provide to the Director of the Department of Management and Budget, and the chairpersons of the Senate and House of Representatives Appropriations Committees, a

complete schedule of fees to be collected for the following fiscal year.

Currently, for the purpose of securing certain benefits, vital records requested of the State Registrar must be provided without charge to a member of the military, a nurse, a women's auxiliary member, or another person entitled to a State or Federal bonus, pension, or other compensation. The bill would require the State Registrar to label a vital record furnished under this provision with the statement, "for veteran's benefits only, not for personal use". Further, the State Registrar or a local registrar currently must provide a copy of a vital record, without charge, for official use only to a court; a department, agency, or political subdivision of this State, the United States, or another state; a licensed child placing agency for adoption purposes; or an official registrar of a foreign country. The copy must be labeled, "for official use only". The bill specifies, instead, that a copy of a vital record would have to be provided by the State Registrar or a local registrar without charge to a licensed child placing agency representing a child for adoption purposes; and the State Registrar would have to label the copy with the statement, "for adoption purposes only, not for personal use".

MCL 333.2891

## **ARGUMENTS**

*(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)*

### **Supporting Argument**

Requests for copies of vital records have been increasing in recent years, and often searches for the records are time-consuming and labor intensive. In addition, while the DCH developed a website that allows persons to order copies of vital records off the Internet, the Department reports that without an improvement in the system it will be difficult for the DCH to comply with the increasing volume of requests. The current fee schedule does not support the costs of filling current requests. An increase in the fees for requests for records would allow the DCH to enhance maintenance of the current system and provide more services electronically, and thus improve customer access and response time.

Further, the Code currently has no provision to address inflationary increases in the cost of vital records services, meaning that each time the cost of services exceeds the revenue generated by collection of the fees, legislation must amend the statute to increase the fees. The bill would provide the DCH with a mechanism to raise fees as needed

to cover costs, only to the extent that the Department's labor costs increased.

### **Opposing Argument**

People need access to vital records for many reasons. It seems unfair continually to raise the cost of obtaining essential documents.

Legislative Analyst: G. Towne

### **FISCAL IMPACT**

The Department estimates that these fee increases would generate around \$350,000 annually. The FY 2000-01 DCH budget already assumes an increase of \$200,000, so that appropriation may have to be adjusted accordingly.

Fiscal Analyst: J. Walker

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.