

1 AN ACT concerning death registrations.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Vital Records Act is amended by adding
5 Section 18.5 and changing Sections 25 and 25.5 as follows:

6 (410 ILCS 535/18.5 new)

7 Sec. 18.5. Electronic reporting system for death
8 registrations. The State Registrar may facilitate death
9 registration by implementing an electronic reporting system.
10 The system may be used to transfer information to individuals
11 and institutions responsible for completing and filing
12 certificates and related reports for deaths that occur in the
13 State. The system shall be capable of storing and retrieving
14 accurate and timely data and statistics for those persons and
15 agencies responsible for vital records registration and
16 administration.

17 (410 ILCS 535/25) (from Ch. 111 1/2, par. 73-25)

18 Sec. 25. In accordance with Section 24 of this Act, and
19 the regulations adopted pursuant thereto:

20 (1) The State Registrar of Vital Records shall search
21 the files of birth, death, and fetal death records, upon
22 receipt of a written request and a fee of \$10 from any
23 applicant entitled to such search. A search fee shall not be
24 required for commemorative birth certificates issued by the
25 State Registrar. If, upon search, the record requested is
26 found, the State Registrar shall furnish the applicant one
27 certification of such record, under the seal of such office.
28 If the request is for a certified copy of the record an
29 additional fee of \$5 shall be required. If the request is
30 for a certified copy of a death certificate or a fetal death

1 certificate, an additional fee of \$2 is required. The
2 additional fee shall be deposited into the Death Certificate
3 Surcharge Fund. A further fee of \$2 shall be required for
4 each additional certification or certified copy requested.
5 If the requested record is not found, the State Registrar
6 shall furnish the applicant a certification attesting to that
7 fact, if so requested by the applicant. A further fee of \$2
8 shall be required for each additional certification that no
9 record has been found.

10 Any local registrar or county clerk shall search the
11 files of birth, death and fetal death records, upon receipt
12 of a written request from any applicant entitled to such
13 search. If upon search the record requested is found, such
14 local registrar or county clerk shall furnish the applicant
15 one certification or certified copy of such record, under the
16 seal of such office, upon payment of the applicable fees. If
17 the requested record is not found, the local registrar or
18 county clerk shall furnish the applicant a certification
19 attesting to that fact, if so requested by the applicant and
20 upon payment of applicable fee. The local registrar or
21 county clerk must charge a \$2 fee for each certified copy of
22 a death certificate. The fee is in addition to any other
23 fees that are charged by the local registrar or county clerk.
24 The additional fees must be transmitted to the State
25 Registrar monthly and deposited into the Death Certificate
26 Surcharge Fund. The local registrar or county clerk may
27 charge fees for providing other services for which the State
28 Registrar may charge fees under this Section, ~~except that~~
29 ~~such fees may not exceed the fees charged by the State~~
30 Registrar.

31 A request to any custodian of vital records for a search
32 of the death record indexes for genealogical research shall
33 require a fee of \$10 per name for a 5 year search. An
34 additional fee of \$1 for each additional year searched shall

1 be required. If the requested record is found, one
2 uncertified copy shall be issued without additional charge.

3 Any fee received by the State Registrar pursuant to this
4 Section which is of an insufficient amount may be returned by
5 the State Registrar upon his recording the receipt of such
6 fee and the reason for its return. The State Registrar is
7 authorized to maintain a 2 signature, revolving checking
8 account with a suitable commercial bank for the purpose of
9 depositing and withdrawing-for-return cash received and
10 determined insufficient for the service requested.

11 No fee imposed under this Section may be assessed against
12 an organization chartered by Congress that requests a
13 certificate for the purpose of death verification.

14 (2) The certification of birth may contain only the
15 name, sex, date of birth, and place of birth, of the person
16 to whom it relates, the name, age and birthplace of the
17 parents, and the file number; and none of the other data on
18 the certificate of birth except as authorized under
19 subsection (5) of this Section.

20 (3) The certification of death shall contain only the
21 name, Social Security Number, sex, date of death, and place
22 of death of the person to whom it relates, and file number;
23 and none of the other data on the certificate of death except
24 as authorized under subsection (5) of this Section.

25 (4) Certification or a certified copy of a certificate
26 shall be issued:

27 (a) Upon the order of a court of competent
28 jurisdiction; or

29 (b) In case of a birth certificate, upon the
30 specific written request for a certification or certified
31 copy by the person, if of legal age, by a parent or other
32 legal representative of the person to whom the record of
33 birth relates, or by a person having a genealogical
34 interest; or

1 (c) Upon the specific written request for a
2 certification or certified copy by a department of the
3 state or a municipal corporation or the federal
4 government; or

5 (d) In case of a death or fetal death certificate,
6 upon specific written request for a certified copy by a
7 person, or his duly authorized agent, having a
8 genealogical, personal or property right interest in the
9 record.

10 A genealogical interest shall be a proper purpose with
11 respect to births which occurred not less than 75 years and
12 deaths which occurred not less than 20 years prior to the
13 date of written request. Where the purpose of the request is
14 a genealogical interest, the custodian shall stamp the
15 certification or copy with the words, FOR GENEALOGICAL
16 PURPOSES ONLY.

17 (5) Any certification or certified copy issued pursuant
18 to this Section shall show the date of registration; and
19 copies issued from records marked "delayed," "amended," or
20 "court order" shall be similarly marked and show the
21 effective date.

22 (6) Any certification or certified copy of a certificate
23 issued in accordance with this Section shall be considered as
24 prima facie evidence of the facts therein stated, provided
25 that the evidentiary value of a certificate or record filed
26 more than one year after the event, or a record which has
27 been amended, shall be determined by the judicial or
28 administrative body or official before whom the certificate
29 is offered as evidence.

30 (7) Any certification or certified copy issued pursuant
31 to this Section shall be issued without charge when the
32 record is required by the United States Veterans
33 Administration or by any accredited veterans organization to
34 be used in determining the eligibility of any person to

1 participate in benefits available from such organization.
2 Requests for such copies must be in accordance with Sections
3 1 and 2 of "An Act to provide for the furnishing of copies of
4 public documents to interested parties," approved May 17,
5 1935, as now or hereafter amended.

6 (8) The National Vital Statistics Division, or any
7 agency which may be substituted therefor, may be furnished
8 such copies or data as it may require for national
9 statistics; provided that the State shall be reimbursed for
10 the cost of furnishing such data; and provided further that
11 such data shall not be used for other than statistical
12 purposes by the National Vital Statistics Division, or any
13 agency which may be substituted therefor, unless so
14 authorized by the State Registrar of Vital Records.

15 (9) Federal, State, local, and other public or private
16 agencies may, upon request, be furnished copies or data for
17 statistical purposes upon such terms or conditions as may be
18 prescribed by the Department.

19 (10) The State Registrar of Vital Records, at his
20 discretion and in the interest of promoting registration of
21 births, may issue, without fee, to the parents or guardian of
22 any or every child whose birth has been registered in
23 accordance with the provisions of this Act, a special notice
24 of registration of birth.

25 (11) No person shall prepare or issue any certificate
26 which purports to be an original, certified copy, or
27 certification of a certificate of birth, death, or fetal
28 death, except as authorized in this Act or regulations
29 adopted hereunder.

30 (12) A computer print-out of any record of birth, death
31 or fetal record that may be certified under this Section may
32 be used in place of such certification and such computer
33 print-out shall have the same legal force and effect as a
34 certified copy of the document.

1 (13) The State Registrar may verify from the information
2 contained in the index maintained by the State Registrar the
3 authenticity of information on births, deaths, marriages and
4 dissolution of marriages provided to a federal agency or a
5 public agency of another state by a person seeking benefits
6 or employment from the agency, provided the agency pays a fee
7 of \$10.

8 (14) The State Registrar may issue commemorative birth
9 certificates to persons eligible to receive birth
10 certificates under this Section upon the payment of a fee to
11 be determined by the State Registrar.

12 (Source: P.A. 90-144, eff. 7-23-97; 91-382, eff. 7-30-99.)

13 (410 ILCS 535/25.5)

14 Sec. 25.5. Death Certificate Surcharge Fund. The
15 additional \$2 fee for certified copies of death certificates
16 and fetal death certificates must be deposited into the Death
17 Certificate Surcharge Fund, a special fund created in the
18 State treasury. Beginning 30 days after the effective date
19 of this amendatory Act of the 92nd General Assembly and until
20 January 1, 2003, moneys in the Fund, subject to
21 appropriation, may be used by the Department for the purpose
22 of implementing an electronic reporting system for death
23 registrations as provided in Section 18.5 of this Act.
24 Before the effective date of this amendatory Act of the 92nd
25 General Assembly and on and after January 1, 2003, moneys in
26 the Fund, subject to appropriations, may be used as follows:
27 (i) 25% by the Illinois Law Enforcement Training and
28 Standards Board for the purpose of training coroners, deputy
29 coroners, forensic pathologists, and police officers for
30 homicide investigations, (ii) 25% by the Illinois Necropsy
31 Board for equipment and lab facilities for local county
32 coroners, (iii) 25% by the Department of Public Health for
33 the purpose of setting up a statewide database of death

1 certificates and implementing an electronic reporting system
2 for death registrations pursuant to Section 18.5, and (iv)
3 25% for a grant by the Department of Public Health to local
4 registrars ~~the-Cook-County-Health-Department.~~

5 (Source: P.A. 91-382, eff. 7-30-99; revised 2-23-00.)

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.