

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.