



Sen. Jason Plummer

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10300SB1595sam001

LRB103 25828 CPF 57396 a

1 AMENDMENT TO SENATE BILL 1595

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1595 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Vital Records Act is amended by changing  
5 Section 25 as follows:

6 (410 ILCS 535/25) (from Ch. 111 1/2, par. 73-25)

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

9 (1) The State Registrar of Vital Records shall search  
10 the files of birth, death, and fetal death records, upon  
11 receipt of a written request and a fee of \$10 from any  
12 applicant entitled to such search. A search fee shall not  
13 be required for commemorative birth certificates issued by  
14 the State Registrar. A search fee shall not be required  
15 for a birth record search from a person (1) upon release on  
16 parole, mandatory supervised release, final discharge, or

1       pardon from the Department of Corrections if the person  
2       presents a prescribed verification form completed by the  
3       Department of Corrections verifying the person's date of  
4       birth and social security number, or (2) placed on  
5       aftercare release under the Juvenile Court Act of 1987,  
6       upon release on parole, mandatory supervised release,  
7       final discharge, or pardon from the Department of Juvenile  
8       Justice if the person presents a prescribed verification  
9       form completed by the Department of Juvenile Justice  
10      verifying the person's date of birth and social security  
11      number; however, the person is entitled to only one search  
12      fee waiver. If, upon search, the record requested is  
13      found, the State Registrar shall furnish the applicant one  
14      certification of such record, under the seal of such  
15      office. If the request is for a certified copy of the  
16      record an additional fee of \$5 shall be required. An  
17      additional fee for a certified copy of the record shall  
18      not be required from a person (1) upon release on parole,  
19      mandatory supervised release, final discharge, or pardon  
20      from the Department of Corrections if the person presents  
21      a prescribed verification form completed by the Department  
22      of Corrections verifying the released person's date of  
23      birth and social security number, or (2) placed on  
24      aftercare release under the Juvenile Court Act of 1987,  
25      upon release on parole, mandatory supervised release,  
26      final discharge, or pardon from the Department of Juvenile

1 Justice if the person presents a prescribed verification  
2 form completed by the Department of Juvenile Justice  
3 verifying the person's date of birth and social security  
4 number; however, the person is entitled to only one  
5 certified copy fee waiver. If the request is for a  
6 certified copy of a death certificate or a fetal death  
7 certificate, an additional fee of \$2 is required. The  
8 additional fee shall be deposited into the Death  
9 Certificate Surcharge Fund. A further fee of \$2 shall be  
10 required for each additional certification or certified  
11 copy requested. If the requested record is not found, the  
12 State Registrar shall furnish the applicant a  
13 certification attesting to that fact, if so requested by  
14 the applicant. A further fee of \$2 shall be required for  
15 each additional certification that no record has been  
16 found.

17 Any local registrar or county clerk shall search the  
18 files of birth, death and fetal death records, upon  
19 receipt of a written request from any applicant entitled  
20 to such search. If upon search the record requested is  
21 found, such local registrar or county clerk shall furnish  
22 the applicant one certification or certified copy of such  
23 record, under the seal of such office, upon payment of the  
24 applicable fees. If the requested record is not found, the  
25 local registrar or county clerk shall furnish the  
26 applicant a certification attesting to that fact, if so

1 requested by the applicant and upon payment of applicable  
2 fee. The local registrar or county clerk must charge a \$2  
3 fee for each certified copy of a death certificate. The  
4 fee is in addition to any other fees that are charged by  
5 the local registrar or county clerk. The additional fees  
6 must be transmitted to the State Registrar monthly and  
7 deposited into the Death Certificate Surcharge Fund. The  
8 local registrar or county clerk may charge fees for  
9 providing other services for which the State Registrar may  
10 charge fees under this Section.

11 Upon receipt of a written request from an ~~any~~  
12 applicant entitled to such a search, a local registrar or  
13 county clerk shall search available files for the death  
14 certificate of an active duty ~~or retired~~ service member or  
15 honorably discharged veteran of the United States  
16 military. If the death certificate requested by the  
17 applicant is found, the local registrar or county clerk  
18 shall furnish the applicant with one certified copy of the  
19 death certificate, under the seal of the local registrar's  
20 or county clerk's office, at no cost to the applicant. If  
21 the requested death certificate of the service member or  
22 honorably discharged veteran is not found, the local  
23 registrar or county clerk shall furnish the applicant, at  
24 no cost, with certification attesting to that fact if so  
25 requested by the applicant. A local registrar or county  
26 clerk shall not require a fee from the applicant of more

1 than \$6 for any subsequent copy of the service member's or  
2 honorably discharged veteran's death certificate or  
3 certification attesting that the death certificate of the  
4 service member or honorably discharged veteran was not  
5 found.

6 A request to any custodian of vital records for a  
7 search of the death record indexes for genealogical  
8 research shall require a fee of \$10 per name for a 5 year  
9 search. An additional fee of \$1 for each additional year  
10 searched shall be required. If the requested record is  
11 found, one uncertified copy shall be issued without  
12 additional charge.

13 Any fee received by the State Registrar pursuant to  
14 this Section which is of an insufficient amount may be  
15 returned by the State Registrar upon his recording the  
16 receipt of such fee and the reason for its return. The  
17 State Registrar is authorized to maintain a 2 signature,  
18 revolving checking account with a suitable commercial bank  
19 for the purpose of depositing and withdrawing-for-return  
20 cash received and determined insufficient for the service  
21 requested.

22 No fee imposed under this Section may be assessed  
23 against an organization chartered by Congress that  
24 requests a certificate for the purpose of death  
25 verification.

26 Any custodian of vital records, whether it may be the

1 Department of Public Health, a local registrar, or a  
2 county clerk shall charge an additional \$2 for each  
3 certified copy of a death certificate and that additional  
4 fee shall be collected on behalf of the Department of  
5 Financial and Professional Regulation for deposit into the  
6 Cemetery Oversight Licensing and Disciplinary Fund.

7 As used in this paragraph, "veteran" means an  
8 individual who served in the Armed Forces of the United  
9 States, National Guard, or the reserves of the Armed  
10 Forces of the United States.

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

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

23 (4) Certification or a certified copy of a certificate  
24 shall be issued:

25 (a) Upon the order of a court of competent  
26 jurisdiction; or

1           (b) In case of a birth certificate, upon the  
2           specific written request for a certification or  
3           certified copy by the person, if of legal age, by a  
4           parent or other legal representative of the person to  
5           whom the record of birth relates, or by a person having  
6           a genealogical interest; or

7           (c) Upon the specific written request for a  
8           certification or certified copy by a department of the  
9           state or a municipal corporation or the federal  
10          government; or

11          (c-1) Upon the specific written request for a  
12          certification or certified copy by a State's Attorney  
13          for the purpose of a criminal prosecution; or

14          (d) In case of a death or fetal death certificate,  
15          upon specific written request for a certified copy by  
16          a person, or his duly authorized agent, having a  
17          genealogical, personal or property right interest in  
18          the record.

19          A genealogical interest shall be a proper purpose with  
20          respect to births which occurred not less than 75 years  
21          and deaths which occurred not less than 20 years prior to  
22          the date of written request. Where the purpose of the  
23          request is a genealogical interest, the custodian shall  
24          stamp the certification or copy with the words, FOR  
25          GENEALOGICAL PURPOSES ONLY.

26          (5) Any certification or certified copy issued

1       pursuant to this Section shall show the date of  
2       registration; and copies issued from records marked  
3       "delayed," "amended," or "court order" shall be similarly  
4       marked and show the effective date.

5       (6) Any certification or certified copy of a  
6       certificate issued in accordance with this Section shall  
7       be considered as prima facie evidence of the facts therein  
8       stated, provided that the evidentiary value of a  
9       certificate or record filed more than one year after the  
10      event, or a record which has been amended, shall be  
11      determined by the judicial or administrative body or  
12      official before whom the certificate is offered as  
13      evidence.

14      (7) Any certification or certified copy issued  
15      pursuant to this Section shall be issued without charge  
16      when the record is required by the United States Veterans  
17      Administration or by any accredited veterans organization  
18      to be used in determining the eligibility of any person to  
19      participate in benefits available from such organization.  
20      Requests for such copies must be in accordance with  
21      Sections 1 and 2 of "An Act to provide for the furnishing  
22      of copies of public documents to interested parties,"  
23      approved May 17, 1935, as now or hereafter amended.

24      (8) The National Vital Statistics Division, or any  
25      agency which may be substituted therefor, may be furnished  
26      such copies or data as it may require for national



1 statistics; provided that the State shall be reimbursed  
2 for the cost of furnishing such data; and provided further  
3 that such data shall not be used for other than  
4 statistical purposes by the National Vital Statistics  
5 Division, or any agency which may be substituted therefor,  
6 unless so authorized by the State Registrar of Vital  
7 Records.

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

12 (10) The State Registrar of Vital Records, at his  
13 discretion and in the interest of promoting registration  
14 of births, may issue, without fee, to the parents or  
15 guardian of any or every child whose birth has been  
16 registered in accordance with the provisions of this Act,  
17 a special notice of registration of birth.

18 (11) No person shall prepare or issue any certificate  
19 which purports to be an original, certified copy, or  
20 certification of a certificate of birth, death, or fetal  
21 death, except as authorized in this Act or regulations  
22 adopted hereunder.

23 (12) A computer print-out of any record of birth,  
24 death or fetal record that may be certified under this  
25 Section may be used in place of such certification and  
26 such computer print-out shall have the same legal force

1 and effect as a certified copy of the document.

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

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

13 (Source: P.A. 102-739, eff. 1-1-23.)

14 Section 99. Effective date. This Act takes effect  
15 immediately.".