

1 AN ACT concerning vital records.

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 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 the
10 files of birth, death, and fetal death records, upon receipt of
11 a written request and a fee of \$10 from any applicant entitled
12 to such search. A search fee shall not be required for
13 commemorative birth certificates issued by the State
14 Registrar. If, upon search, the record requested is found, the
15 State Registrar shall furnish the applicant one certification
16 of such record, under the seal of such office. If the request
17 is for a certified copy of the record an additional fee of \$5
18 shall be required. If the request is for a certified copy of a
19 death certificate or a fetal death certificate, an additional
20 fee of \$2 is required. The additional fee shall be deposited
21 into the Death Certificate Surcharge Fund. A further fee of \$2
22 shall be required for each additional certification or
23 certified copy requested. If the requested record is not found,

1 the State Registrar shall furnish the applicant a certification
2 attesting to that fact, if so requested by the applicant. A
3 further fee of \$2 shall be required for each additional
4 certification that no record has been found.

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

23 A request to any custodian of vital records for a search of
24 the death record indexes for genealogical research shall
25 require a fee of \$10 per name for a 5 year search. An
26 additional fee of \$1 for each additional year searched shall be

1 required. If the requested record is found, one uncertified
2 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 fee
6 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 Any custodian of vital records, whether it may be the
15 Department of Public Health, a local registrar, or a county
16 clerk shall charge an additional \$2 for each certified copy of
17 a death certificate and that additional fee shall be collected
18 on behalf of the Department of Financial and Professional
19 Regulation for deposit into the Cemetery Oversight Licensing
20 and Disciplinary Fund.

21 (2) The certification of birth may contain only the name,
22 sex, date of birth, and place of birth, of the person to whom
23 it relates, the name, age and birthplace of the parents, and
24 the file number; and none of the other data on the certificate
25 of birth except as authorized under subsection (5) of this
26 Section.

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

6 (4) Certification or a certified copy of a certificate
7 shall be issued:

8 (a) Upon the order of a court of competent
9 jurisdiction; or

10 (b) In case of a birth certificate, upon the specific
11 written request for a certification or certified copy by
12 the person, if of legal age, by a parent or other legal
13 representative of the person to whom the record of birth
14 relates, or by a person having a genealogical interest; or

15 (c) Upon the specific written request for a
16 certification or certified copy by a department of the
17 state or a municipal corporation or the federal government;
18 or

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

22 (d) In case of a death or fetal death certificate, upon
23 specific written request for a certified copy by a person,
24 or his duly authorized agent, having a genealogical,
25 personal or property right interest in the record.

26 A genealogical interest shall be a proper purpose with

1 respect to births which occurred not less than 75 years and
2 deaths which occurred not less than 20 years prior to the date
3 of written request. Where the purpose of the request is a
4 genealogical interest, the custodian shall stamp the
5 certification or copy with the words, FOR GENEALOGICAL PURPOSES
6 ONLY.

7 (5) Any certification or certified copy issued pursuant to
8 this Section shall show the date of registration; and copies
9 issued from records marked "delayed," "amended," or "court
10 order" shall be similarly marked and show the effective date.

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

19 (7) Any certification or certified copy issued pursuant to
20 this Section shall be issued without charge when the record is
21 required by the United States Veterans Administration or by any
22 accredited veterans organization to be used in determining the
23 eligibility of any person to participate in benefits available
24 from such organization. Requests for such copies must be in
25 accordance with Sections 1 and 2 of "An Act to provide for the
26 furnishing of copies of public documents to interested

1 parties," approved May 17, 1935, as now or hereafter amended.

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

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

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

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

25 (12) A computer print-out of any record of birth, death or
26 fetal record that may be certified under this Section may be

1 used in place of such certification and such computer print-out
2 shall have the same legal force and effect as a certified copy
3 of the document.

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

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

15 (Source: P.A. 97-679, eff. 2-6-12.)

16 Section 99. Effective date. This Act takes effect upon
17 becoming law.