

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 (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 place
19 of death of the person to whom it relates, and file number;
20 and none of the other data on the certificate of death except
21 as authorized under subsection (5) of this Section.

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

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

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

32 (c) Upon the specific written request for a
33 certification or certified copy by a department of the
34 state or a municipal corporation or the federal

1 government; or

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

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

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

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

27 (7) Any certification or certified copy issued pursuant
28 to this Section shall be issued without charge when the
29 record is required by the United States Veterans
30 Administration or by any accredited veterans organization to
31 be used in determining the eligibility of any person to
32 participate in benefits available from such organization.
33 Requests for such copies must be in accordance with Sections
34 1 and 2 of "An Act to provide for the furnishing of copies of

1 public documents to interested parties," approved May 17,
2 1935, as now or hereafter amended.

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

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

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

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

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

32 (13) The State Registrar may verify from the information
33 contained in the index maintained by the State Registrar the
34 authenticity of information on births, deaths, marriages and

1 dissolution of marriages provided to a federal agency or a
2 public agency of another state by a person seeking benefits
3 or employment from the agency, provided the agency pays a fee
4 of \$10.

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

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

10 (410 ILCS 535/25.5)

11 Sec. 25.5. Death Certificate Surcharge Fund. The
12 additional \$2 fee for certified copies of death certificates
13 and fetal death certificates must be deposited into the Death
14 Certificate Surcharge Fund, a special fund created in the
15 State treasury. Moneys in the Fund, subject to
16 appropriations, may be used as follows: (i) 25% by the
17 Illinois Law Enforcement Training and Standards Board for the
18 purpose of training coroners, deputy coroners, forensic
19 pathologists, and police officers for homicide
20 investigations, (ii) 25% by the Illinois Necropsy Board for
21 equipment and lab facilities for local county coroners, (iii)
22 25% by the Department of Public Health for the purpose of
23 setting up a statewide database of death certificates and
24 implementing an electronic reporting system for death
25 registrations pursuant to Section 18.5, and (iv) 25% for a
26 grant by the Department of Public Health to the Cook County
27 Health Department.

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

29 Section 99. Effective date. This Act takes effect upon
30 becoming law.