

1 AN ACT concerning health.

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  
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. If, upon search, the record requested  
15 is found, the State Registrar shall furnish the applicant  
16 one certification of such record, under the seal of such  
17 office. If the request is for a certified copy of the  
18 record an additional fee of \$5 shall be required. If the  
19 request is for a certified copy of a death certificate or a  
20 fetal death certificate, an additional fee of \$2 is  
21 required. The additional fee shall be deposited into the  
22 Death Certificate Surcharge Fund. A further fee of \$2 shall  
23 be required for each additional certification or certified

1 copy requested. If the requested record is not found, the  
2 State Registrar shall furnish the applicant a  
3 certification attesting to that fact, if so requested by  
4 the applicant. A further fee of \$2 shall be required for  
5 each additional certification that no record has been  
6 found. The State Registrar of Vital Records shall also make  
7 it known to the applicant of the option to donate \$1 per  
8 record. The donation shall be deposited into the Department  
9 of Children and Family Services Special Purposes Trust Fund  
10 for the purposes of enabling and encouraging improvements  
11 in child welfare and child protection practices and  
12 services.

13 Any local registrar or county clerk shall search the  
14 files of birth, death and fetal death records, upon receipt  
15 of a written request from any applicant entitled to such  
16 search. If upon search the record requested is found, such  
17 local registrar or county clerk shall furnish the applicant  
18 one certification or certified copy of such record, under  
19 the seal of such office, upon payment of the applicable  
20 fees. If the requested record is not found, the local  
21 registrar or county clerk shall furnish the applicant a  
22 certification attesting to that fact, if so requested by  
23 the applicant and upon payment of applicable fee. The local  
24 registrar or county clerk must charge a \$2 fee for each  
25 certified copy of a death certificate. The fee is in  
26 addition to any other fees that are charged by the local

1 registrar or county clerk. The additional fees must be  
2 transmitted to the State Registrar monthly and deposited  
3 into the Death Certificate Surcharge Fund. The local  
4 registrar or county clerk may charge fees for providing  
5 other services for which the State Registrar may charge  
6 fees under this Section. The local registrar or county  
7 clerk shall also make it known to the applicant of the  
8 option to donate \$1 per record. The donation shall be  
9 deposited into the Department of Children and Family  
10 Services Special Purposes Trust Fund for the purposes of  
11 enabling and encouraging improvements in child welfare and  
12 child protection practices and services.

13 A request to any custodian of vital records for a  
14 search of the death record indexes for genealogical  
15 research shall require a fee of \$10 per name for a 5 year  
16 search. An additional fee of \$1 for each additional year  
17 searched shall be required. If the requested record is  
18 found, one uncertified copy shall be issued without  
19 additional charge.

20 Any fee received by the State Registrar pursuant to  
21 this Section which is of an insufficient amount may be  
22 returned by the State Registrar upon his recording the  
23 receipt of such fee and the reason for its return. The  
24 State Registrar is authorized to maintain a 2 signature,  
25 revolving checking account with a suitable commercial bank  
26 for the purpose of depositing and withdrawing-for-return

1 cash received and determined insufficient for the service  
2 requested.

3 No fee imposed under this Section may be assessed  
4 against an organization chartered by Congress that  
5 requests a certificate for the purpose of death  
6 verification.

7 Any custodian of vital records, whether it may be the  
8 Department of Public Health, a local registrar, or a county  
9 clerk shall charge an additional \$2 for each certified copy  
10 of a death certificate and that additional fee shall be  
11 collected on behalf of the Department of Financial and  
12 Professional Regulation for deposit into the Cemetery  
13 Oversight Licensing and Disciplinary Fund.

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  
24 except as authorized under subsection (5) of this Section.

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

1           (a) Upon the order of a court of competent  
2 jurisdiction; or

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

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

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

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

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

1           PURPOSES ONLY.

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

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

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

26           (8) The National Vital Statistics Division, or any

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

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

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

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

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

1 computer print-out shall have the same legal force and  
2 effect as a certified copy of the document.

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

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

14 (Source: P.A. 99-95, eff. 7-21-15.)