

# Legislative Analysis



## FREE BIRTH CERTIFICATE TO HOMELESS

Mitchell Bean, Director  
Phone: (517) 373-8080  
<http://www.house.mi.gov/hfa>

**House Bill 6390 (Substitute H-1)**

**Sponsor: Rep. Mary Waters**

**Committee: Health Policy**

**Complete to 11-29-06**

## A SUMMARY OF HOUSE BILL 6390 AS REPORTED FROM COMMITTEE 11-28-06

The bill would amend the Public Health Code (MCL 333.2891) to require that, upon formal application, a homeless individual be furnished without charge a search and one certified copy of his or her birth record. A homeless individual would be entitled to only one free birth record. "Homeless individual" would mean that term as defined under federal law (42 USC 11302).

As verification of a person's homeless status, a state or local registrar would have to accept written information that indicated the individual was receiving assistance from a public or private agency providing services to homeless individuals, including a shelter for homeless persons of the kind where individuals who contribute to the shelter are eligible for a tax credit under Section 261 of the Income Tax Act. Written information would also have to be accepted from a community action agency that serves the homeless population under Section 9 of the Michigan Economic and Social Opportunity Act.

(Under 42 USC 11302, the term "homeless" or "homeless individual or homeless person" includes: (1) an individual who lacks a fixed, regular, and adequate nighttime residence; and (2) an individual who has a primary nighttime residence that is: a) supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill); b) an institution that provides a temporary residence for individuals intended to be institutionalized; or c) a public or private place not designed for, or ordinarily used as, a regular sleeping accommodations for human beings. The term excludes any individual imprisoned or otherwise detained under an act of the Congress or a state law.)

## FISCAL IMPACT:

House Bill 6390, as introduced, may have a modest fiscal impact on the Department of Community Health. The costs are dependent upon the number of homeless persons who seek to obtain a birth certificate from the Department under this provision, for which the current standard fee pursuant to statute is \$26. The cost of providing this service will have to be supported by existing revenue of the Department of Community Health or additional state funding if demand is significant. Currently, the costs of vital records program services exceed the fee revenue of the program. The number of homeless

persons in Michigan is estimated by the Michigan State Housing Development Authority to be 50,692, including persons chronically and temporarily homeless.

#### **BACKGROUND INFORMATION:**

People become homeless for a variety of reasons. During periods of homelessness, or if the homelessness was caused by a fire or natural disaster, people often lose important documents, including copies of birth certificates. Certified copies of birth certificates are often needed to obtain replacements of other important documents, or to obtain temporary shelter or other types of assistance. A person would still need to verify his or her identity in order to get the birth certificate. However, some feel that one free certified birth certificate in such a situation may enable people to get the help they need to move on with their lives.

#### **POSITIONS:**

The Michigan Association of County Clerks indicated opposition to the bill but also noted that they were continuing to work with the bill's sponsor. (11-28-06)

Legislative Analyst: Susan Stutzky  
Fiscal Analyst: Susan Frey

---

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.