**Section 500.10 Definitions**

"Act" means the Vital Records Act.

"Adoption Act" means 750 ILCS 50.

"Affiant" means the person signing the correction form.

"Bona fide research" means research that uses scientific methods and analyses for the purpose of generating generalizable new knowledge and understanding, while abiding by all legal and ethical requirements and practices.

"Bona fide researcher" means a person with the formal education, professional expertise and experience to conduct bona fide research.

"Certificate" means an officially registered Certificate of Live Birth, Delayed Record of Birth, Medical Death, Medical Examiner's/Coroner's Death, or Fetal Death (Stillbirth).

"Certified court order", "court order", "appropriate court order", and "court determination" means a written order entered by a court of competent jurisdiction that is certified by the clerk of the court and dated, and that includes the full information required by the State Registrar to amend, correct, replace, impound, open or create a vital record without reference to any other document.

"Civil union" or "Marriage" *means a legal relationship between two persons with the same legal obligations, responsibilities, protections, and benefits*. The term "marriage" in this Part is interpreted as a synonym for civil union. (Section 10 of the Illinois Religious Freedom Protection and Civil Union Act)

"Correction" means the correction or amendment of a certificate to reflect the correct information at items where incorrect information was originally entered; or the addition of correct information for items previously omitted from the certificate. "Correction" does not mean to enter on the certificate facts or information different from those which existed at the time of the event.

"Correction form" means the standard correction form "Affidavit and Certificate of Correction" prescribed by the State Registrar.

"Court of competent jurisdiction" means any Circuit Court in Illinois, any United States District Court, any equivalent court in any state or United States territory, any tribal court of any of the Indian Nations located within the United States, and any State or federal appellate level court in the United States. "Court of competent jurisdiction" does not include any religious court or any administrative body or tribunal without general State or federal trial jurisdiction.

"Custodian" means the State Registrar of Vital Records, local registrars or county clerks.

"Delayed birth registration" means the registration of any birth that was not registered within three days after the event and includes:

the registration of a birth that occurred more than three days, but less than one year prior to the application for registration;

the registration of a birth that occurred more than one year, but less than seven years prior to the application for registration; and

the registration of a birth that occurred more than seven years prior to the application for registration.

"Department" means the Illinois Department of Public Health or its designated agent.

"Director" means the Director of the Illinois Department of Public Health or the Director’s designee.

"District" means a specific geographic location in the State, for the purpose of registration of birth, death and fetal certificates.

"Final disposition" means the burial, cremation, or other disposition of a dead human body, fetus, or parts of a dead human body or fetus, including depositing in a vault or tomb, removal from the State, or use by a hospital or other institution for medical or scientific study in accordance with the Cadaver Act and Section 8 of the Uniform Anatomical Gift Act.

"Foundling" means a child found who was abandoned by a parent or parents whose identity is not known.

"Funeral director" means a person licensed by the State of Illinois to practice funeral directing, or a person acting under the direct supervision of an Illinois licensed funeral director as an employee or an associate of the funeral director.

*"Gestational surrogacy" means the process by which a woman attempts to carry and give birth to a child created through in vitro fertilization using the gamete or gametes of at least one of the intended parents and to which the gestational surrogate has made no genetic contribution.* (Section 10 of the Gestational Surrogacy Act)

*"Gestational surrogacy contract" means a written agreement regarding gestational surrogacy.*  (Section 10 of the Gestational Surrogacy Act)

*"Gestational surrogate" means a woman who agrees to engage in a gestational surrogacy.* (Section 10 of the Gestational Surrogacy Act)

*"Intended parent" means a person or persons who enter into a gestational surrogacy contract with a gestational surrogate pursuant to which he or she will be the legal parent of the resulting child.* (Section 10 of the Gestational Surrogacy Act) The intended parent or parents can be married, in a civil union or single.

"Legal representative" refers to:

A licensed attorney-at-law acting on behalf of a person or persons named on a birth certificate;

an agent authorized by written power of attorney;

a court-appointed personal representative;

an agent with written, notarized authorization from a person or persons named on a birth certificate for the purpose of obtaining a certified copy for that person; or

any other agent, approved by the State Registrar as a legal representative of the person to whom the birth certificate relates.

"Local registrar" refers to an individual who is appointed by the State Registrar, administers and enforces the provisions of the Vital Records Act, requires that certificates be completed and filed in accordance with the provisions of the Vital Records Act, and prepares files and retains, for a period of at least 10 years, an accurate copy of each record of live birth, death and fetal death.

"Major correction" includes, but is not limited to, any correction made more than one year after the date of the occurrence, or a correction made within one year after the date of the occurrence relating to these items (except as provided in Section 500.40(f)(3)(D)):

significant changes in the surname of the registered person;

on births, changes in the date or place of the occurrence;

the parent's or parents' age, if changed more than two years;

changes in the cause of death;

the identity of the parent or parents on the birth certificate;

changes in marital status;

the birth date or age of the decedent on a death certificate; or

other like circumstances.

Any other single item corrected within one year after the occurrence is considered a "minor correction".

"Minor correction" means any correction made within one year after the occurrence not meeting the criteria of a major correction.

"Personal services contract" means a contract between a unit of the State or local government body and an individual or a firm for the provision of services to the unit of the State or local government.

"Registration district" means a specific geographic location in the State, for the purpose of registration of birth, death and fetal certificates as described in 410 ILCS 535/6 of the Vital Records Act.

"State Registrar" means the State Registrar of Vital Records.

"Vital records" means records of births, deaths, fetal deaths, marriages, dissolution of marriages, and data related thereto.

(Source: Amended at 46 Ill. Reg. 20036, effective November 30, 2022)