

1 AMENDMENT TO HOUSE BILL 2203

2 AMENDMENT NO. _____. Amend House Bill 2203 as follows:

3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Juvenile Court Act of 1987 is amended by
6 adding Section 2-4a as follows:

7 (705 ILCS 405/2-4a new)

8 Sec. 2-4a. Special immigrant minor.

9 (a) Except as otherwise provided in this Act, a special
10 immigrant minor under 18 years of age who has been made a
11 ward of the court may be deemed eligible by the court for
12 long-term foster care due to abuse, neglect, or abandonment
13 and remain under the jurisdiction of the juvenile court until
14 his or her special immigrant juvenile status and adjustment
15 of status applications are adjudicated. The petition filed
16 on behalf of the special immigrant minor must allege that he
17 or she otherwise satisfies the prerequisites for special
18 immigrant juvenile status pursuant to 8 U.S.C. Section
19 1101(a)(27)(J) and must state the custodial status sought on
20 behalf of the minor.

21 (b) For the purposes of this Section, a juvenile court

1 may make a finding that a special immigrant minor is eligible
2 for long term foster care if the court makes the following
3 findings:

4 (1) That a reasonable diligent search for
5 biological parents, prior adoptive parents, or prior
6 legal guardians has been conducted; and

7 (2) That reunification with the minor's biological
8 parents, prior adoptive parents, or prior legal guardian
9 is not a viable option.

10 (c) For the purposes of this Section:

11 (1) The term "abandonment" means the failure of a
12 parent or legal guardian to maintain a reasonable degree
13 of interest, concern, or responsibility for the welfare
14 of his or her minor child or ward.

15 (2) The term "special immigrant minor" means an
16 immigrant minor who (i) is present in the United States
17 and has been made a ward of the court and (ii) for whom
18 it has been determined in an administrative or judicial
19 proceeding that it would not be in his or her best
20 interests to be returned to his or her previous county of
21 nationality or country of last habitual residence.

22 (d) This Section does not apply to a minor who applies
23 for special immigrant minor status solely for the purpose of
24 qualifying for financial assistance for himself or herself or
25 for his or her parents, guardian, or custodian.

26 Section 99. Effective date. This Act takes effect upon
27 becoming law."