



Rep. Dan Brady

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LRB097 05996 RPM 52635 a

1 AMENDMENT TO HOUSE BILL 1149

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1149 as follows:

3 on page 1, line 16, by replacing "Immigration and  
4 Naturalization Service" with "Citizenship and Immigration  
5 Services ~~Immigration and Naturalization Service~~"; and

6 on page 1, line 22, by replacing "Immigration and  
7 Naturalization Service" with "Citizenship and Immigration  
8 Services ~~Immigration and Naturalization Service~~"; and

9 on page 2, line 9, by replacing "Immigration and Naturalization  
10 Service" with "Citizenship and Immigration Services  
11 ~~Immigration and Naturalization Service~~"; and

12 on page 2, line 14, by replacing "Immigration and  
13 Naturalization Service" with "Citizenship and Immigration  
14 Services ~~Immigration and Naturalization Service~~"; and

1 on page 4, immediately below line 3, by inserting the  
2 following:

3 "Section 10. The Adoption Act is amended by changing  
4 Section 18.05 as follows:

5 (750 ILCS 50/18.05)

6 Sec. 18.05. The Illinois Adoption Registry and Medical  
7 Information Exchange.

8 (a) General function. Subject to appropriation, the  
9 Department of Public Health shall administer the Illinois  
10 Adoption Registry and Medical Information Exchange in the  
11 manner outlined in subsections (b) and (c) for the purpose of  
12 facilitating the voluntary exchange of identifying and medical  
13 information between mutually consenting members of birth and  
14 adoptive families. The Department shall establish rules for the  
15 confidential operation of the Illinois Adoption Registry. The  
16 Department shall appoint an OBC-Access Public Information  
17 Campaign Oversight Committee comprised of, but not limited to,  
18 representatives of the Department of Public Health and the  
19 Department of Children and Family Services, as well as  
20 representatives of the organizations that serve, as of the  
21 effective date of this amendatory Act of the 96th General  
22 Assembly, on the Illinois Adoption Registry Advisory Council or  
23 the Confidential Intermediary Advisory Council. On and after

1 the effective date of this amendatory Act of the 96th General  
2 Assembly, the OBC-Access Public Information Campaign Oversight  
3 Committee shall develop and ensure the timely implementation of  
4 a year-long, nationwide campaign to be conducted from November  
5 1, 2010, through October 31, 2011, for the express purpose of  
6 informing the public in earnest about the conditions under  
7 which an adult adopted or surrendered person may receive a  
8 non-certified copy of his or her original birth certificate,  
9 and the procedures pursuant to which a birth parent may file a  
10 Birth Parent Preference Form to express his or her wishes with  
11 respect to contact with a surrendered son or daughter and the  
12 release of identifying information that appears on the original  
13 birth certificate. This year-long informational campaign shall  
14 include, but not be limited to:

15 (1) Public service announcements to be distributed to  
16 local and national radio and television stations.

17 (2) Notices to be distributed throughout Illinois to  
18 physicians' offices, religious institutions, social  
19 welfare organizations, retirement homes, and other  
20 entities capable of reaching individuals who may be  
21 impacted by this change in the law.

22 (3) An informational website exclusively devoted to  
23 providing the general public with information about the new  
24 law as well as other forms of free electronic media.

25 (4) Press releases to be distributed to local and  
26 national radio and television stations, as well as to

1 relevant websites.

2 (5) Announcements about the new law to be posted on the  
3 websites of all adoption agencies licensed in the State.

4 (6) Notices accompanying every vehicle registration  
5 renewal application issued by the Secretary of State's  
6 office between October 31, 2010, and November 1, 2011.

7 (7) Notices enclosed with driver's license renewal  
8 applications issued by the Secretary of State's office  
9 beginning 30 days after the effective date of this  
10 amendatory Act of the 96th General Assembly and through  
11 November 30, 2014.

12 The Illinois Adoption Registry shall also maintain an  
13 informational Internet site where interested parties may  
14 access information about the Illinois Adoption Registry and  
15 Medical Information Exchange and download all necessary  
16 application forms. The Illinois Adoption Registry shall  
17 maintain statistical records regarding Registry participation  
18 and publish and circulate to the public informational material  
19 about the function and operation of the Registry.

20 (b) Establishment of the Adoption/Surrender Records File.  
21 When a person has voluntarily registered with the Illinois  
22 Adoption Registry and completed an Illinois Adoption Registry  
23 Application or a Registration Identification Form, the  
24 Registry shall establish a new Adoption/Surrender Records  
25 File. Such file may concern an adoption that was finalized by a  
26 court action in the State of Illinois, an adoption of a person

1 born in Illinois finalized by a court action in a state other  
2 than Illinois or in a foreign country, a surrender taken in the  
3 State of Illinois, or an adoption filed according to Section  
4 16.1 of the Vital Records Act under a Record of Foreign Birth  
5 that was not finalized by a court action in the State of  
6 Illinois. Such file may be established for adoptions or  
7 surrenders finalized prior to as well as after the effective  
8 date of this amendatory Act. A file may be created in any  
9 manner to preserve documents including but not limited to  
10 microfilm, optical imaging, or electronic documents.

11 (c) Contents of the Adoption/Surrender Records File. An  
12 established Adoption/Surrender Records File shall be limited  
13 to the following items, to the extent that they are available:

14 (1) The General Information Section and Medical  
15 Information Exchange Questionnaire of any Illinois  
16 Adoption Registry Application or a Registration  
17 Identification Form which has been voluntarily completed  
18 by any registered party.

19 (2) Any photographs voluntarily provided by any  
20 registrant for any other registered party at the time of  
21 registration or any time thereafter. All such photographs  
22 shall be submitted in an unsealed envelope no larger than 8  
23 1/2" x 11", and shall not include identifying information  
24 pertaining to any person other than the registrant who  
25 submitted them. Any such identifying information shall be  
26 redacted by the Department or the information shall be

1 returned for removal of identifying information.

2 (3) Any Information Exchange Authorization, Denial of  
3 Information Exchange, or Birth Parent Preference Form  
4 which has been filed by a registrant.

5 (4) For all adoptions finalized after January 1, 2000,  
6 copies of the original certificate of live birth and the  
7 certificate of adoption.

8 (5) Any updated address submitted by any registered  
9 party about himself or herself.

10 (6) Any proof of death that has been submitted by a  
11 registrant.

12 (7) Any birth certificate that has been submitted by a  
13 registrant.

14 (8) Any marriage certificate that has been submitted by  
15 a registrant.

16 (9) Any proof of guardianship that has been submitted  
17 by a registrant.

18 (10) Any Request for a Non-Certified Copy of an  
19 Original Birth Certificate that has been filed with the  
20 Registry by an adult adopted or surrendered person or by a  
21 surviving adult child or surviving spouse of a deceased  
22 adopted or surrendered person who has registered with the  
23 Registry.

24 (d) An established Adoption/Surrender Records File for an  
25 adoption filed in Illinois under a Record of Foreign Birth that  
26 was not finalized in a court action in the State of Illinois

1 shall be limited to the following items submitted to the State  
2 Registrar of Vital Records under Section 16.1 of the Vital  
3 Records Act, to the extent that they are available:

4 (1) Evidence as to the child's birth date and  
5 birthplace (including the country of birth and, if  
6 available, the city and province of birth) provided by the  
7 original birth certificate, or by a certified copy,  
8 extract, or translation thereof or by other document  
9 essentially equivalent thereto (the records of the U.S.  
10 Citizenship and Immigration Services or of the U.S.  
11 Department of State to be considered essentially  
12 equivalent thereto).

13 (2) A certified copy, extract, or translation of the  
14 adoption decree or other document essentially equivalent  
15 thereto (the records of the U.S. Citizenship and  
16 Immigration Services or of the U.S. Department of State to  
17 be considered essentially equivalent thereto).

18 (3) A copy of the IR-3 or IH-3 visa.

19 (4) The name and address of the adoption agency that  
20 handled the adoption.

21 (Source: P.A. 95-331, eff. 8-21-07; 96-895, eff. 5-21-10.)".