

1 AN ACT concerning civil law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Adoption Act is amended by changing Section
5 18.3 as follows:

6 (750 ILCS 50/18.3) (from Ch. 40, par. 1522.3)

7 (Text of Section before amendment by P.A. 102-825)

8 Sec. 18.3. (a) The agency, Department of Children and
9 Family Services, Court Supportive Services, Juvenile Division
10 of the Circuit Court, and any other party to the surrender of a
11 child for adoption or in an adoption proceeding shall inform
12 any birth parent or parents relinquishing a child for purposes
13 of adoption after the effective date of this Act of the
14 opportunity to register with the Illinois Adoption Registry
15 and Medical Information Exchange and to utilize the Illinois
16 confidential intermediary program and shall obtain a written
17 confirmation that acknowledges the birth parent's receipt of
18 such information.

19 The birth parent shall be informed in writing that if
20 contact or exchange of identifying information with the adult
21 adopted or surrendered person is to occur, that adult adopted
22 or surrendered person must be 21 years of age or over except as
23 referenced in paragraph (d) of this Section.

1 (b) Any birth parent, birth sibling, adopted or
2 surrendered person, adoptive parent, or legal guardian
3 indicating their desire to receive identifying or medical
4 information shall be informed of the existence of the Registry
5 and assistance shall be given to such person to legally record
6 his or her name with the Registry.

7 (c) The agency, Department of Children and Family
8 Services, Court Supportive Services, Juvenile Division of the
9 Circuit Court, and any other organization involved in the
10 surrender of a child for adoption in an adoption proceeding
11 which has written statements from an adopted or surrendered
12 person and the birth parent or a birth sibling indicating a
13 desire to share identifying information or establish contact
14 shall supply such information to the mutually consenting
15 parties, except that no identifying information shall be
16 supplied to consenting birth siblings if any such sibling is
17 under 21 years of age. However, both the Registry having an
18 Information Exchange Authorization and the organization having
19 a written statement requesting the sharing of identifying
20 information or contact shall communicate with each other to
21 determine if the adopted or surrendered person or the birth
22 parent or birth sibling has signed a form at a later date
23 indicating a change in his or her desires regarding the
24 sharing of information or contact.

25 (d) On and after January 1, 2000, any licensed child
26 welfare agency which provides post-adoption search assistance

1 to adoptive parents, adopted persons, surrendered persons,
2 birth parents, or other birth relatives shall require that any
3 person requesting post-adoption search assistance complete an
4 Illinois Adoption Registry Application prior to the
5 commencement of the search. However, former youth in care as
6 defined in Section 4d of the Children and Family Services Act
7 between the ages of 18 and 21 who have been surrendered or
8 adopted and who are seeking contact or an exchange of
9 information with siblings shall not be required to complete an
10 Illinois Adoption Registry Application prior to commencement
11 of the search, provided that the search is performed
12 consistent with applicable Sections of this Act.

13 (Source: P.A. 100-159, eff. 8-18-17.)

14 (Text of Section after amendment by P.A. 102-825)

15 Sec. 18.3. (a) The agency, Department of Children and
16 Family Services, Court Supportive Services, Juvenile Division
17 of the Circuit Court, and any other party to the surrender of a
18 child for adoption or in an adoption proceeding shall inform
19 any birth parent or parents relinquishing a child for purposes
20 of adoption after the effective date of this Act of the
21 opportunity to register with the Illinois Adoption Registry
22 and Medical Information Exchange and to utilize the Illinois
23 confidential intermediary program and shall obtain a written
24 confirmation that acknowledges the birth parent's receipt of
25 such information.

1 The birth parent shall be informed in writing that if
2 contact or exchange of identifying information with the adult
3 adopted or surrendered person is to occur, that adult adopted
4 or surrendered person must be 21 years of age or over except as
5 referenced in paragraph (d) of this Section.

6 (b) Any birth parent, birth sibling, adopted or
7 surrendered person, adoptive parent, or legal guardian
8 indicating their desire to receive identifying or medical
9 information shall be informed of the existence of the Registry
10 and assistance shall be given to such person to legally record
11 his or her name with the Registry.

12 (c) The agency, Department of Children and Family
13 Services, Court Supportive Services, Juvenile Division of the
14 Circuit Court, and any other organization involved in the
15 surrender of a child for adoption in an adoption proceeding
16 which has written statements from an adopted or surrendered
17 person and the birth parent or a birth sibling indicating a
18 desire to share identifying information or establish contact
19 shall supply such information to the mutually consenting
20 parties, except that no identifying information shall be
21 supplied to consenting birth siblings if any such sibling is
22 under 21 years of age. However, both the Registry having an
23 Information Exchange Authorization and the organization having
24 a written statement requesting the sharing of identifying
25 information or contact shall communicate with each other to
26 determine if the adopted or surrendered person or the birth

1 parent or birth sibling has signed a form at a later date
2 indicating a change in his or her desires regarding the
3 sharing of information or contact.

4 (d) On and after January 1, 2000, any licensed child
5 welfare agency which provides post-adoption search assistance
6 to adoptive parents, adopted persons, surrendered persons,
7 birth parents, or other birth relatives shall require that any
8 person requesting post-adoption search assistance complete an
9 Illinois Adoption Registry Application prior to the
10 commencement of the search. However, former youth in care as
11 defined in Section 4d of the Children and Family Services Act
12 who have been surrendered or adopted who are (i) between the
13 ages of 18 and 21 and who are seeking contact or an exchange of
14 information with siblings, birth relatives, former foster
15 parents, or former foster siblings or (ii) over the age of 21
16 who are seeking contact with former foster parents or former
17 foster siblings shall not be required to complete an Illinois
18 Adoption Registry Application prior to commencement of the
19 search, provided that the search is performed consistent with
20 applicable Sections of this Act.

21 (e) A confidential intermediary shall be permitted to
22 access records of closed child welfare agencies that are
23 housed in the State Central Storage, in addition to the
24 information allowed to be requested in paragraph (g) from
25 adoption agencies, if the petitioner is an adult adopted or
26 surrendered person, or the adoptive parent of an adult adopted

1 person under the age of 21, or the adoptive parent of a
2 deceased adopted or surrendered person, and the confidential
3 intermediary may request any non-identifying information,
4 including any available medical information about the adopted
5 or surrendered person from birth through adoption, any
6 non-identifying information described in Section 18.4, and the
7 18.3 statement.

8 (Source: P.A. 102-825, eff. 7-1-23.)

9 Section 95. No acceleration or delay. Where this Act makes
10 changes in a statute that is represented in this Act by text
11 that is not yet or no longer in effect (for example, a Section
12 represented by multiple versions), the use of that text does
13 not accelerate or delay the taking effect of (i) the changes
14 made by this Act or (ii) provisions derived from any other
15 Public Act.