

1 AN ACT concerning records.

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

4 Section 5. The Vital Records Act is amended by changing
5 Section 16.1 as follows:

6 (410 ILCS 535/16.1) (from Ch. 111 1/2, par. 73-16.1)

7 Sec. 16.1. When it appears from a certificate of
8 adoption transmitted to the State Registrar of Vital Records,
9 pursuant to the provisions of Section 16 of this Act, that
10 the child was born outside of the United States or its
11 Territories, then, upon submission to the State Registrar of
12 Vital Records of evidence as to the child's birth date and
13 birthplace provided by the original birth certificate, or by
14 a certified copy, extract, or translation thereof or by other
15 document essentially equivalent thereto (the records of the
16 U.S. Immigration and Naturalization Service or of the U.S.
17 Department of State to be considered essentially equivalent
18 thereto), the State Registrar of Vital Records shall make and
19 file a Record of Foreign Birth. The State Registrar of Vital
20 Records may make and file a Record of Foreign Birth for a
21 person born in a foreign country who was adopted under the
22 laws of a jurisdiction or country other than the United
23 States by an adopting parent who is a resident of this State
24 and who has been granted an IR-3 visa by the U.S. Immigration
25 and Naturalization Service under the Immigration and
26 Nationality Act upon the submission to the State Registrar of
27 Vital Records of: (1) evidence as to the child's birth date
28 and birthplace (including the country of birth and if
29 available, the city and province of birth) provided by the
30 original birth certificate, or by a certified copy, extract,
31 or translation thereof or by other document essentially

1 equivalent thereto (the records of the U.S. Immigration and
2 Naturalization Service or of the U.S. Department of State to
3 be considered essentially equivalent thereto); (2) a
4 certified copy, extract, or translation of the adoption
5 decree or by other document essentially equivalent thereto
6 (the records of the U.S. Immigration and Naturalization
7 Service or of the U.S. Department of State to be considered
8 essentially equivalent thereto); (3) a copy of the IR-3 visa;
9 and (4) the name and address of the adoption agency that
10 handled the adoption. The Record of Foreign Birth shall
11 include the actual place and date of birth, the child's name
12 and parentage as ordered in the judgment of adoption and any
13 other necessary facts.

14 Upon the specific written request by the person to whom
15 the Record of Foreign Birth relates or by his or her legal
16 representative, or by an agency of local, state or federal
17 government, or upon the order of a court of competent
18 jurisdiction and upon payment of a fee of \$5 by the
19 applicant, the State Registrar of Vital Records shall issue
20 to such applicant one certification or a certified copy of
21 the specified Record of Foreign Birth.

22 Upon receipt of a certified copy of a court order of
23 annulment of adoption or a court order vacating a judgment of
24 adoption of an adopted person for whom a Record of Foreign
25 Birth has been made and filed under the provisions of this
26 Section the State Registrar of Vital Records shall nullify
27 and void such Record of Foreign Birth by entering on its face
28 the statement "This Record is declared null and void upon the
29 basis of a court judgment annulling or vacating this adoption
30 upon which this Record is based" and a notation identifying
31 the court judgment.

32 The provisions of this Section shall also be applicable
33 to, and shall inure to the benefit of all persons for whom a
34 judgment of adoption has been entered in a court in this

1 State prior to August 26, 1963. In such cases the applicant
2 shall furnish the State Registrar of Vital Records with a
3 certified copy of the adoption judgment together with
4 affidavits as to the personal particulars of the foster
5 parents in lieu of the certificate of adoption specified in
6 Section 16 of this Act. In every case wherein the State
7 Registrar of Vital Records has previously been furnished with
8 a certificate of adoption involving a foreign born child
9 adopted in Illinois, a certified copy of the adoption
10 judgment and affidavits of personal particulars are not
11 necessary, but the State Registrar of Vital Records shall
12 make and file a Record of Foreign Birth in the same manner
13 and fashion as if the certificate of adoption has been
14 furnished him after August 26, 1963.

15 (Source: P.A. 83-345.)

16 Section 99. Effective date. This Act takes effect upon
17 becoming law.