

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 has been granted an IR-3
22 visa by the U.S. Immigration and Naturalization Service under
23 the Immigration and Nationality Act and who was adopted under
24 the laws of a jurisdiction or country other than the United
25 States by an adopting parent who is a resident of this State
26 upon the submission to the State Registrar of Vital Records
27 of: (1) evidence as to the child's birth date and birthplace
28 (including the country of birth and if available, the city
29 and province of birth) provided by the original birth
30 certificate, or by a certified copy, extract, or translation
31 thereof or by other document essentially equivalent thereto

1 (the records of the U.S. Immigration and Naturalization
2 Service or of the U.S. Department of State to be considered
3 essentially equivalent thereto); (2) a certified copy,
4 extract, or translation of the adoption decree or by other
5 document essentially equivalent thereto (the records of the
6 U.S. Immigration and Naturalization Service or of the U.S.
7 Department of State to be considered essentially equivalent
8 thereto); (3) a copy of the IR-3 visa; and (4) the name and
9 address of the adoption agency that handled the adoption.

10 The Record of Foreign Birth shall include the actual place
11 and date of birth, the child's name and parentage as ordered
12 in the judgment of adoption and any other necessary facts.

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

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

31 The provisions of this Section shall also be applicable
32 to, and shall inure to the benefit of all persons for whom a
33 judgment of adoption has been entered in a court in this
34 State prior to August 26, 1963. In such cases the applicant

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

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

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