



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB3578

Introduced 2/24/2005, by Rep. Paul D. Froehlich

SYNOPSIS AS INTRODUCED:

750 ILCS 45/13.6 new

Amends the Illinois Parentage Act of 1984. Provides that any parent having custody of any minor child under this Act and any mother having custody of a minor child whose paternity has been established or acknowledged pursuant to the listed Acts shall not remove the child from Illinois without first obtaining leave from the court to do so. Provides that the court may grant leave to any party having custody of any minor child to remove the child from Illinois whenever such approval is in the best interest of the child. Places the burden of proof of the best interest of the child on the party seeking to remove the child from Illinois. Provides that when the removal is permitted, the court may require the party removing the child from Illinois to give reasonable security guaranteeing the return of the child. Provides that, before a minor child is temporarily removed from Illinois, the parent responsible for the removal shall inform the other parent, or the other parent's attorney, of the address and telephone number where the child may be reached during the period of temporary removal, and the date on which the child shall return to Illinois, if the other parent has court-ordered visitation.

LRB094 10364 LCB 41864 b

1 AN ACT concerning families.

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

4 Section 5. The Illinois Parentage Act of 1984 is amended by
5 adding Section 13.6 as follows:

6 (750 ILCS 45/13.6 new)

7 Sec. 13.6. Removal of a child from Illinois.

8 (a) Any parent having custody of any minor child under this
9 Act and any mother having custody of a minor child, whose
10 paternity has been established or acknowledged pursuant to this
11 Act, Section 10-17.7 of the Illinois Public Aid Code, or
12 Section 12 of the Vital Records Act, shall not remove the child
13 from Illinois without first obtaining leave from the court to
14 do so. The court may grant leave to any party having custody of
15 any minor child to remove the child from Illinois whenever such
16 approval is in the best interest of the child. The burden of
17 proving that the removal is in the best interest of the child
18 is on the party seeking the removal. When the removal is
19 permitted, the court may require the party removing the child
20 from Illinois to give reasonable security guaranteeing the
21 return of the child.

22 (b) Before a minor child described in subsection (a) is
23 temporarily removed from Illinois, the parent responsible for
24 the removal shall inform the other parent, or the other
25 parent's attorney, of the address and telephone number where
26 the child may be reached during the period of temporary
27 removal, and the date on which the child shall return to
28 Illinois, if the other parent has court-ordered visitation. The
29 State of Illinois retains jurisdiction when the minor child is
30 absent from the State pursuant to this subsection.