



Rep. Greg Harris

Filed: 5/21/2007

09500HB1826ham002

LRB095 08127 AJ0 36611 a

1 AMENDMENT TO HOUSE BILL 1826

2 AMENDMENT NO. _____. Amend House Bill 1826, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "PART I. CIVIL UNIONS

6 Section 101. Short title. This Act may be cited as the
7 Illinois Religious Freedom Protection and Civil Union Act.

8 Section 102. Purpose. The purpose of this Act is to provide
9 committed, adult same-sex and different-sex couples the
10 opportunity to obtain the same obligations, responsibilities,
11 protections, and benefits afforded or recognized by the law of
12 Illinois to spouses.

13 Section 103. Religious freedom. Nothing in this Act shall
14 interfere with or regulate the religious practice of any

1 religious body. Any religious body, Indian Nation or Tribe or
2 Native Group is free to choose whether or not to solemnize or
3 not to officiate civil unions.

4 Section 104. Protections, obligations, and
5 responsibilities. Two adults who enter into a civil union under
6 this Act shall each be entitled to all the same legal
7 obligations, responsibilities, protections, and benefits as
8 are afforded or recognized now or in the future by the law of
9 Illinois to spouses, whether they derive from statute,
10 administrative or court rule, policy, common law, or any other
11 source of civil or criminal law. That remains true even after a
12 civil union has ended for any reason.

13 Section 105. Requisites of a valid civil union. Two adults
14 who wish to enter a civil union shall be subject to the same
15 protections, requirements and conditions imposed on
16 individuals who wish to become spouses by Chapter 750 of the
17 Illinois Compiled Statutes, provided that civil unions shall
18 only be allowed between two persons who are at least 18 years
19 of age.

20 Section 106. Civil unions prohibited. No one can enter a
21 civil union with a person if she or he is, with someone else,
22 still in a marriage or civil union or in a substantially
23 similar legal relationship created in another state. A civil

1 union is prohibited between an ancestor and a descendant; 2
2 siblings; an uncle and a niece or nephew; an aunt and a niece
3 or nephew; and first cousins.

4 Section 107. Forms; documents.

5 (a) The Director of Public Health shall prescribe the
6 forms, documents, and applications for entering into a civil
7 union, pursuant to the analogous provisions of Chapter 750 of
8 the Illinois Compiled Statutes.

9 (b) A copy of the civil union registration from the county
10 clerk or the return provided to the Department of Public Health
11 by a county clerk shall be presumptive evidence of the civil
12 union in all courts.

13 Section 108. Dissolution. Parties to a civil union who wish
14 to dissolve the civil union shall do so pursuant to Chapter 750
15 of the Illinois Compiled Statutes. Any person who enters into a
16 civil union consents to the jurisdiction of the courts of
17 Illinois to dissolve it.

18 PART II. MISCELLANEOUS

19 Section 201. Construction. This Act shall be liberally
20 construed and applied to promote its purpose.

21 Section 202. Severability. If any part of this Act or its

1 application to any person or circumstance is adjudged invalid,
2 the adjudication or application shall not affect the validity
3 of this Act as a whole or of any other part.

4 Section 203. Reciprocity. A marriage between persons of the
5 same sex, a civil union, or a substantially similar legal
6 relationship other than common law marriage, legally entered
7 into in another jurisdiction, will be recognized in Illinois as
8 a civil union.

9 Section 204. Effective date. This Act takes effect January
10 1, 2008."