

SB2630



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB2630

Introduced 12/3/2013, by Sen. Ira I. Silverstein

SYNOPSIS AS INTRODUCED:

750 ILCS 5/609

from Ch. 40, par. 609

Amends the Illinois Marriage and Dissolution of Marriage Act. Provides that notwithstanding any other provision of law, a party to a custody action who is residing in the United States under an H-4 or L-2 visa shall be allowed to permanently return to his or her country of origin with the minor child or children and commence child custody proceedings in his or her country of origin.

LRB098 14338 HEP 49558 b

A BILL FOR

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 Illinois Marriage and Dissolution of
5 Marriage Act is amended by changing Section 609 as follows:

6 (750 ILCS 5/609) (from Ch. 40, par. 609)
7 Sec. 609. Leave to Remove Children.)

8 (a) The court may grant leave, before or after judgment, to
9 any party having custody of any minor child or children to
10 remove such child or children from Illinois whenever such
11 approval is in the best interests of such child or children.
12 The burden of proving that such removal is in the best
13 interests of such child or children is on the party seeking the
14 removal. When such removal is permitted, the court may require
15 the party removing such child or children from Illinois to give
16 reasonable security guaranteeing the return of such children.

17 (b) Before a minor child is temporarily removed from
18 Illinois, the parent responsible for the removal shall inform
19 the other parent, or the other parent's attorney, of the
20 address and telephone number where the child may be reached
21 during the period of temporary removal, and the date on which
22 the child shall return to Illinois.

23 The State of Illinois retains jurisdiction when the minor

1 child is absent from the State pursuant to this subsection.

2 (c) The court may not use the availability of electronic
3 communication as a factor in support of a removal of a child by
4 the custodial parent from Illinois.

5 (d) Notwithstanding any other provision of law, a party to
6 a custody action who is residing in the United States under an
7 H-4 or L-2 visa shall be allowed to permanently return to his
8 or her country of origin with the minor child or children and
9 commence child custody proceedings in his or her country of
10 origin.

11 (Source: P.A. 96-331, eff. 1-1-10.)