



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB5428

Introduced 2/5/2010, by Rep. Sara Feigenholtz

SYNOPSIS AS INTRODUCED:

750 ILCS 50/18.05

Amends the Adoption Act. In provisions requiring the Department of Public Health to inform the public of the Illinois Adoption Registry and Medical Information Exchange through notices enclosed with driver's license renewal applications, deletes language providing that the notices are required only until December 31, 2010. Effective immediately.

LRB096 17882 AJ0 33250 b

FISCAL NOTE ACT
MAY APPLY

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 Adoption Act is amended by changing Section
5 18.05 as follows:

6 (750 ILCS 50/18.05)

7 Sec. 18.05. The Illinois Adoption Registry and Medical
8 Information Exchange.

9 (a) General function. Subject to appropriation, the
10 Department of Public Health shall administer the Illinois
11 Adoption Registry and Medical Information Exchange in the
12 manner outlined in subsections (b) and (c) for the purpose of
13 facilitating the voluntary exchange of medical information
14 between mutually consenting members of birth and adoptive
15 families. The Department shall establish rules for the
16 confidential operation of the Illinois Adoption Registry. The
17 Department shall conduct a public information campaign through
18 public service announcements and other forms of media coverage
19 and, ~~until December 31, 2010,~~ through notices enclosed with
20 driver's license renewal applications, shall inform the public
21 of the Illinois Adoption Registry and Medical Information
22 Exchange. The Illinois Adoption Registry shall also maintain an
23 informational Internet site where interested parties may

1 access information about the Illinois Adoption Registry and
2 Medical Information Exchange and download all necessary
3 application forms. The Illinois Adoption Registry shall
4 maintain statistical records regarding Registry participation
5 and publish and circulate to the public informational material
6 about the function and operation of the Registry.

7 (b) Establishment of the Adoption/Surrender Records File.

8 When a person has voluntarily registered with the Illinois
9 Adoption Registry and completed an Illinois Adoption Registry
10 Application or a Registration Identification Form, the
11 Registry shall establish a new Adoption/Surrender Records
12 File. Such file may concern an adoption that was finalized by a
13 court action in the State of Illinois, an adoption of a person
14 born in Illinois finalized by a court action in a state other
15 than Illinois or in a foreign country, a surrender taken in the
16 State of Illinois, or an adoption filed according to Section
17 16.1 of the Vital Records Act under a Record of Foreign Birth
18 that was not finalized by a court action in the State of
19 Illinois. Such file may be established for adoptions or
20 surrenders finalized prior to as well as after the effective
21 date of this amendatory Act. A file may be created in any
22 manner to preserve documents including but not limited to
23 microfilm, optical imaging, or electronic documents.

24 (c) Contents of the Adoption/Surrender Records File. An
25 established Adoption/Surrender Records File shall be limited
26 to the following items, to the extent that they are available:

1 (1) The General Information Section and Medical
2 Information Exchange Questionnaire of any Illinois
3 Adoption Registry Application or a Registration
4 Identification Form which has been voluntarily completed
5 by any registered party.

6 (2) Any photographs voluntarily provided by any
7 registrant for any other registered party at the time of
8 registration or any time thereafter. All such photographs
9 shall be submitted in an unsealed envelope no larger than 8
10 1/2" x 11", and shall not include identifying information
11 pertaining to any person other than the registrant who
12 submitted them. Any such identifying information shall be
13 redacted by the Department or the information shall be
14 returned for removal of identifying information.

15 (3) Any Information Exchange Authorization or Denial
16 of Information Exchange which has been filed by a
17 registrant.

18 (4) For all adoptions finalized after January 1, 2000,
19 copies of the original certificate of live birth and the
20 certificate of adoption.

21 (5) Any updated address submitted by any registered
22 party about himself or herself.

23 (6) Any proof of death which has been submitted by a
24 registrant.

25 (7) Any birth certificate that has been submitted by a
26 registrant.

1 (8) Any marriage certificate that has been submitted by
2 a registrant.

3 (9) Any proof of guardianship that has been submitted
4 by a registrant.

5 (d) An established Adoption/Surrender Records File for an
6 adoption filed in Illinois under a Record of Foreign Birth that
7 was not finalized in a court action in the State of Illinois
8 shall be limited to the following items submitted to the State
9 Registrar of Vital Records under Section 16.1 of the Vital
10 Records Act, to the extent that they are available:

11 (1) Evidence as to the child's birth date and
12 birthplace (including the country of birth and, if
13 available, the city and province of birth) provided by the
14 original birth certificate, or by a certified copy,
15 extract, or translation thereof or by other document
16 essentially equivalent thereto (the records of the U.S.
17 Immigration and Naturalization Service or of the U.S.
18 Department of State to be considered essentially
19 equivalent thereto).

20 (2) A certified copy, extract, or translation of the
21 adoption decree or other document essentially equivalent
22 thereto (the records of the U.S. Immigration and
23 Naturalization Service or of the U.S. Department of State
24 to be considered essentially equivalent thereto).

25 (3) A copy of the IR-3 visa.

26 (4) The name and address of the adoption agency that

1 handled the adoption.

2 (Source: P.A. 94-173, eff. 1-1-06; 94-430, eff. 8-2-05; 95-331,
3 eff. 8-21-07.)

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.