

# HB4442



## 99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

**HB4442**

by Rep. Sara Feigenholtz

### SYNOPSIS AS INTRODUCED:

750 ILCS 50/2

from Ch. 40, par. 1502

Amends the Adoption Act. Makes a technical change in a Section concerning who may adopt a child.

LRB099 16997 HEP 41349 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 Adoption Act is amended by changing Section  
5 2 as follows:

6 (750 ILCS 50/2) (from Ch. 40, par. 1502)

7 Sec. 2. Who may adopt a child.

8 A. Any of the ~~the~~ following persons, who is under no legal  
9 disability (except the minority specified in sub-paragraph  
10 (b)) and who has resided in the State of Illinois continuously  
11 for a period of at least 6 months immediately preceding the  
12 commencement of an adoption proceeding, or any member of the  
13 armed forces of the United States who has been domiciled in the  
14 State of Illinois for 90 days, may institute such proceeding:

15 (a) A reputable person of legal age and of either sex,  
16 provided that if such person is married or in a civil union  
17 and has not been living separate and apart from his or her  
18 spouse or civil union partner for 12 months or longer, his  
19 or her spouse or civil union partner shall be a party to  
20 the adoption proceeding, including a spouse or civil union  
21 partner desiring to adopt a child of the other spouse or  
22 civil union partner, in all of which cases the adoption  
23 shall be by both spouses or civil union partners jointly;

1 (b) A minor, by leave of court upon good cause shown.

2 Notwithstanding sub-paragraph (a) of this subsection, a  
3 spouse or civil union partner is not required to join in a  
4 petition for adoption to re-adopt a child after an intercountry  
5 adoption if the spouse or civil union partner did not  
6 previously adopt the child as set forth in subsections (c) and  
7 (e) of Section 4.1 of this Act.

8 B. The residence requirement specified in paragraph A of  
9 this Section shall not apply to:

10 (a) an adoption of a related child or child previously  
11 adopted in a foreign country by the petitioner; or

12 (b) an adoption of a child placed by an agency.

13 (Source: P.A. 98-804, eff. 1-1-15; 99-49, eff. 7-15-15.)