



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB1491

Introduced 02/10/05, by Rep. Bob Biggins

SYNOPSIS AS INTRODUCED:

735 ILCS 5/21-102
735 ILCS 5/21-102.5 new

from Ch. 110, par. 21-102

Amends the Code of Civil Procedure. Provides that a petition for a name change must include whether the petitioner has ever been charged with, arrested for, pled guilty or nolo contendere to, or been found to have committed a criminal offense, regardless of adjudication. Provides that, except for petitions for a name change due to marriage, the petition shall include a copy of the petitioner's fingerprints taken by law enforcement. Provides that the clerk must, upon the filing of a final judgment of a criminal offense against any petitioner for a name change, send a report of the judgment to the Department of State Police on a form to be furnished by the Department. Provides that the report must contain sufficient information to identify the petitioner including fingerprints taken by a law enforcement agency, the new name of the petitioner, and the file number of the judgment. Requires the Department of State Police to send a copy of the report to the Department of Transportation, which may be delivered by electronic transmission. Provides that, with respect to a person convicted of a felony in another state or of a federal offense, the Department of State Police must send the report to the respective state's office of law enforcement records or to the office of the Federal Bureau of Investigation. Provides that the costs from fingerprinting must be paid by the petitioner.

LRB094 07030 LCB 37170 b

1 AN ACT concerning name changes.

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

4 Section 5. The Code of Civil Procedure is amended by
5 changing Section 21-102 and by adding Section 21-102.5 as
6 follows:

7 (735 ILCS 5/21-102) (from Ch. 110, par. 21-102)

8 Sec. 21-102. Petition. The petition shall set forth the
9 name then held, the name sought to be assumed, the residence of
10 the petitioner, the length of time the petitioner has resided
11 in this State, and the state or country of the petitioner's
12 nativity or supposed nativity, and whether the petitioner has
13 ever been charged with, arrested for, pled guilty or nolo
14 contendere to, or been found to have committed a criminal
15 offense, regardless of adjudication. The petition shall be
16 signed by the person petitioning or, in case of minors, by the
17 parent or guardian having the legal custody of the minor. The
18 petition shall be verified by the affidavit of some credible
19 person.

20 Except for petitions for a name change due to marriage, the
21 petition shall include a copy of the petitioner's fingerprints
22 taken by a law enforcement agency.

23 (Source: P.A. 87-409.)

24 (735 ILCS 5/21-102.5 new)

25 Sec. 21-102.5. Forwarding of petition.

26 (a) The clerk must, upon the filing of a final judgment of
27 a criminal offense against any petitioner for a name change,
28 send a report of the judgment to the Department of State Police
29 on a form to be furnished by the Department. The report must
30 contain sufficient information to identify the petitioner
31 including fingerprints taken by a law enforcement agency, the

1 new name of the petitioner, and the file number of the
2 judgment.

3 (b) The Department of State Police must send a copy of the
4 report to the Department of Transportation, which may be
5 delivered by electronic transmission.

6 (c) Any information retained by the Department of State
7 Police and the Department of Transportation may be revised or
8 supplemented by the Departments to reflect changes made by the
9 final judgment.

10 (d) With respect to a person convicted of a felony in
11 another state or of a federal offense, the Department of State
12 Police must send the report to the respective state's office of
13 law enforcement records or to the office of the Federal Bureau
14 of Investigation.

15 (e) The Department of State Police may forward the report
16 to any other law enforcement agency that it believes may retain
17 information related to the petitioner.

18 (f) Any costs from fingerprinting must be paid by the
19 petitioner.