The Law 74/2025 Reacquisition Master Guide & 6-Document Eligibility Checklist

Executive Briefing on the Extraordinary 2025–2027 Statutory Window Under Article 17 of Law No. 91/1992, Constitutional Court Order No. 147/2026, and the Principle of Non-Culpable Impairment

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Scope: Citizenship Reacquisition (Living Emigrants) & Intergenerational Protection

STRICT SUNSET DATE: DECEMBER 31, 2027 — CRUCIAL LEGAL DISTINCTION

Italian Law No. 74/2025 reopened a temporary statutory window under Article 17 of Law No. 91/1992, allowing **living individuals** who were born Italian (or held Italian citizenship) and lost it upon adult naturalization abroad prior to August 16, 1992 to formally reacquire Italian citizenship. This extraordinary window expires permanently on **December 31, 2027**.

Note on Lineage Claims: Descendants claiming citizenship through deceased ancestors who never lost citizenship before transmitting it fall under permanent **Jure Sanguinis** rules, which are not bound by the 2027 deadline.

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Section 1: Reacquisition (Law 74/2025) vs. Jure Sanguinis Recognition

LEGAL PARAMETER	STANDARD JURE SANGUINIS LINEAGE	LAW 74/2025 REACQUISITION (ART. 17)
Legal Nature	Declaratory (recognized continuously from birth).	Constitutive (*ex nunc* from the date of declaration).
Target Subject	Descendants of Italian ancestors whose transmission was unbroken.	Living individuals personally born Italian who naturalized before 16/08/1992.
Statutory Window	Permanent fundamental right (subject to generational limits).	Strictly limited window: **May 2025 – December 31, 2027**.
Transmission to Children	Minor and adult children recognized automatically or in single claim.	Minor children reacquire automatically; adult children require distinct legal posture.

Section 2: The 6 Indispensable Eligibility Documents

To assemble an unassailable dossier for reacquisition before the Consulate or Italian Municipality, applicants must secure six atomic records:

1. Estratto di Nascita con Annotazioni

Historical birth extract of the applicant issued by the ancestral Italian Comune, showing original birth in Italy and marginal civil status annotations.

2. Foreign Naturalization Certificate

Certified copy of the Declaration of Intention, Petition, and Certificate of Naturalization proving the exact date of foreign oath prior to Aug 16, 1992.

3. Certified Long-Form Marriage Act

Complete long-form marriage certificate apostilled and translated into Italian by a sworn translator, establishing marital continuity.

4. Long-Form Birth Certificates of Minor Children

Vital records for all children under 18 years of age at the time of declaration, enabling co-reacquisition under Art. 14 Law 91/1992.

5. Proof of Jurisdictional Residence

Valid consular jurisdiction documentation (e.g. state ID, utility bills) or Italian municipal certificate of residence (*certificato di residenza*).

6. Valid Foreign Passport & Identity Proof

Current unexpired foreign passport with apostilled name-linkage affidavit if minor discrepancies exist between Italian and foreign documents.

Section 3: Consular Channel Abroad vs. Fast-Track Municipal Route

- **Consular Channel Abroad:** The declaration of reacquisition is rendered before the competent Italian Consulate under Art. 17 of Law No. 91/1992. Because consular booking calendars on *Prenot@mi* are severely congested, delays risk pushing the declaration beyond the December 31, 2027 sunset date.
- **Fast-Track Municipal Route in Italy:** The applicant establishes lawful residency in an Italian Municipality and renders the declaration directly before the Civil Registrar (*Ufficiale di Stato Civile*). This path circumvents consular backlogs and allows completion within 60 to 90 days.

Section 4: Constitutional Court Order 147/2026 & Non-Culpable Impairment

By **Order No. 147/2026**, the Italian Constitutional Court referred Law No. 74/2025 to the **Court of Justice of the European Union (CJEU)** to determine whether the generational restrictions and exclusivity clauses violate EU citizenship rights (Case C-816/26).

In this evolving doctrinal framework, applicants must take formal procedural steps before December 31, 2027. Under the **Principle of Non-Culpable Impairment** (*Tesi dell'Impedimento Incolpevole* ex Art. 3-bis lett. c), serving a formal PEC reservation or booking log immunizes the applicant against administrative expiration if public authorities cause delays.

PRIORITY 45-MINUTE STRATEGIC ASSESSMENT: LAW 74/2025 AUDIT

Do not let the extraordinary 2025–2027 statutory window expire. Schedule a priority 45-minute video consultation directly with **Avv. Michele Vitale** to evaluate your naturalization chronology, confirm eligibility, and choose between the Consular and Fast-Track Municipal routes:

Consultation Fee: €250 all-in total (taxes included)

Credited 100% toward our legal retainer ex D.M. 55/2014 should you retain our Firm for municipal or consular representation.

BOOK LAW 74/2025 ELIGIBILITY AUDIT →

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