

1 AN ACT concerning criminal law.

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

4 Section 5. The Criminal Code of 2012 is amended by adding
5 Section 10-11 as follows:

6 (720 ILCS 5/10-11 new)

7 Sec. 10-11. Transporting persons under 18 years of age to
8 another state for emergency treatment.

9 (a) In this Section:

10 "Child" means a person under 18 years of age.

11 "Person responsible for the child's welfare" has the
12 meaning ascribed to it in Section 3 of the Abused and
13 Neglected Child Reporting Act.

14 (b) A person responsible for the child's welfare may not be
15 criminally liable for a violation of this Article when the
16 person responsible for the child's welfare transports a child
17 to another state for medical care or treatment if the person
18 responsible for the child's welfare reasonably believes that:

19 (1) the child needs emergency medical care or treatment
20 because of injury or illness;

21 (2) the nearest healthcare facility that is capable of
22 rendering sufficient medical care or treatment for that
23 child's emergency medical condition is not in this State;

1 and

2 (3) failure to transport the child to another state
3 will risk further illness or injury to the child.

4 (c) The Department of Children and Family Services may not
5 place a child described in this Section in its custody or
6 foster care on the basis that the child is transported to
7 another state under circumstances described in subsection (b).