

HB5276



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB5276

by Rep. Jim Durkin

SYNOPSIS AS INTRODUCED:

325 ILCS 5/9

from Ch. 23, par. 2059

Amends the Abused and Neglected Child Reporting Act. Provides that any child advocacy center, accredited by the National Children's Alliance, or any employee thereof acting in good faith and exercising due care shall have immunity from any civil liability that may be incurred or imposed through participation in any investigation process required under the Act or any judicial proceeding resulting from the investigation process.

LRB101 18267 KTG 67712 b

A BILL FOR

1 AN ACT concerning children.

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

4 Section 5. The Abused and Neglected Child Reporting Act is
5 amended by changing Section 9 as follows:

6 (325 ILCS 5/9) (from Ch. 23, par. 2059)

7 Sec. 9.

8 (a) Any person, institution or agency, under this Act,
9 participating in good faith in the making of a report or
10 referral, or in the investigation of such a report or referral
11 or in the taking of photographs and x-rays or in the retaining
12 a child in temporary protective custody or in making a
13 disclosure of information concerning reports of child abuse and
14 neglect in compliance with Sections 4.2 and 11.1 of this Act or
15 Section 4 of this Act, as it relates to disclosure by school
16 personnel and except in cases of wilful or wanton misconduct,
17 shall have immunity from any liability, civil, criminal or that
18 otherwise might result by reason of such actions. For the
19 purpose of any proceedings, civil or criminal, the good faith
20 of any persons required to report or refer, or permitted to
21 report, cases of suspected child abuse or neglect or permitted
22 to refer individuals under this Act or required to disclose
23 information concerning reports of child abuse and neglect in

1 compliance with Sections 4.2 and 11.1 of this Act, shall be
2 presumed.

3 (b) Any child advocacy center, accredited by the National
4 Children's Alliance, or any employee thereof acting in good
5 faith and exercising due care shall have immunity from any
6 civil liability that may be incurred or imposed through
7 participation in any investigation process required under this
8 Act or any judicial proceeding resulting from the investigation
9 process.

10 (c) For purposes of this Section "child abuse and neglect"
11 includes abuse or neglect of an adult resident as defined in
12 this Act.

13 (Source: P.A. 95-908, eff. 8-26-08; 96-1446, eff. 8-20-10.)