



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

HB5338

by Rep. Theresa Mah

#### SYNOPSIS AS INTRODUCED:

225 ILCS 10/11.3 new

Amends the Child Care Act of 1969. Provides that the owner of a day care center that receives State funds directly or through a grantee may not close the day care center unless the owner: gives at least 90 days' written notice of the proposed closure to the parent or guardian of each child attending the day care center; advises the parent or guardian of at least 2 meetings to elicit comment from parents or guardians on the proposed closure; attends the meetings or designates managerial personnel to attend the meetings. Provides that the owner or managerial personnel attending the meetings must be prepared to discuss alternatives to closure or delay of the closure to give parents or guardians additional time to secure alternative day care arrangements. Provides that failure to comply with those requirements is a violation of the Act for which the Department of Children and Family Services may impose any appropriate penalty or grant any appropriate remedy. Provides that the new provisions do not apply to closure by the Department because continued operation would jeopardize the health, safety, morals, or welfare of children. Effective immediately.

LRB101 19360 SPS 68832 b

1 AN ACT concerning regulation.

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

4 Section 5. The Child Care Act of 1969 is amended by adding  
5 Section 11.3 as follows:

6 (225 ILCS 10/11.3 new)

7 Sec. 11.3. Child care facility notice.

8 (a) The owner of a day care center that receives State  
9 funds directly or through a grantee may not close a day care  
10 center unless the owner complies with all of the following  
11 requirements:

12 (1) The owner shall give at least 90 days' written  
13 notice of the proposed closure to the parent or guardian of  
14 each child attending the day care center.

15 (2) In the notice, the owner shall advise the parent or  
16 guardian of at least 2 meetings to elicit comment from  
17 parents or guardians on the proposed closure and shall  
18 either attend the meetings or designate managerial  
19 personnel to attend the meetings. The owner or managerial  
20 personnel attending the meetings must be prepared to  
21 discuss alternatives to closure or delay of the closure to  
22 give parents or guardians additional time to secure  
23 alternative day care arrangements.

1           (b) Failure to comply with the requirements of subsection  
2           (a) is a violation of this Act for which the Department may  
3           impose any appropriate penalty or grant any appropriate remedy.  
4           (c) This Section does not apply to a closure under Section  
5           11.2.

6           Section 99. Effective date. This Act takes effect upon  
7           becoming law.