

SB1799



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB1799

Introduced 2/15/2019, by Sen. Chapin Rose

SYNOPSIS AS INTRODUCED:

225 ILCS 10/5

from Ch. 23, par. 2215

Amends the Child Care Act of 1969. Provides that upon application for licensure for a day care home and if there are no known health or safety concerns with the day care home, the Department of Children and Family Services shall issue a 6-month permit to a newly established day care home to allow that facility reasonable time to become eligible for a full license. Provides that the Department shall continue to issue 6-month permits to that day care home until (i) the application for licensure is approved or denied or (ii) the Department determines that there are health or safety concerns with the day care home.

LRB101 08771 JRG 53858 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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
5 changing Section 5 as follows:

6 (225 ILCS 10/5) (from Ch. 23, par. 2215)

7 Sec. 5. (a) In respect to child care institutions,
8 maternity centers, child welfare agencies, day care centers,
9 day care agencies and group homes, the Department, upon
10 receiving application filed in proper order, shall examine the
11 facilities and persons responsible for care of children
12 therein.

13 (b) In respect to foster family and day care homes,
14 applications may be filed on behalf of such homes by a licensed
15 child welfare agency, by a State agency authorized to place
16 children in foster care or by out-of-State agencies approved by
17 the Department to place children in this State. In respect to
18 day care homes, applications may be filed on behalf of such
19 homes by a licensed day care agency or licensed child welfare
20 agency. In applying for license in behalf of a home in which
21 children are placed by and remain under supervision of the
22 applicant agency, such agency shall certify that the home and
23 persons responsible for care of unrelated children therein, or

1 the home and relatives, as defined in Section 2.17 of this Act,
2 responsible for the care of related children therein, were
3 found to be in reasonable compliance with standards prescribed
4 by the Department for the type of care indicated.

5 (c) The Department shall not allow any person to examine
6 facilities under a provision of this Act who has not passed an
7 examination demonstrating that such person is familiar with
8 this Act and with the appropriate standards and regulations of
9 the Department.

10 (d) With the exception of day care centers, day care homes,
11 and group day care homes, licenses shall be issued in such form
12 and manner as prescribed by the Department and are valid for 4
13 years from the date issued, unless revoked by the Department or
14 voluntarily surrendered by the licensee. Licenses issued for
15 day care centers, day care homes, and group day care homes
16 shall be valid for 3 years from the date issued, unless revoked
17 by the Department or voluntarily surrendered by the licensee.
18 When a licensee has made timely and sufficient application for
19 the renewal of a license or a new license with reference to any
20 activity of a continuing nature, the existing license shall
21 continue in full force and effect for up to 30 days until the
22 final agency decision on the application has been made. The
23 Department may further extend the period in which such decision
24 must be made in individual cases for up to 30 days, but such
25 extensions shall be only upon good cause shown.

26 (e) The Department may issue one 6-month permit to a newly

1 established facility for child care to allow that facility
2 reasonable time to become eligible for a full license. If the
3 facility for child care is a foster family home, or day care
4 home the Department may issue one 2-month permit only.

5 (e-5) Upon application for licensure for a day care home
6 and if there are no known health or safety concerns with the
7 day care home, the Department shall issue a 6-month permit to a
8 newly established day care home to allow that facility
9 reasonable time to become eligible for a full license. The
10 Department shall continue to issue 6-month permits to that day
11 care home until (i) the application for licensure is approved
12 or denied or (ii) the Department determines that there are
13 health or safety concerns with the day care home.

14 (f) The Department may issue an emergency permit to a child
15 care facility taking in children as a result of the temporary
16 closure for more than 2 weeks of a licensed child care facility
17 due to a natural disaster. An emergency permit under this
18 subsection shall be issued to a facility only if the persons
19 providing child care services at the facility were employees of
20 the temporarily closed day care center at the time it was
21 closed. No investigation of an employee of a child care
22 facility receiving an emergency permit under this subsection
23 shall be required if that employee has previously been
24 investigated at another child care facility. No emergency
25 permit issued under this subsection shall be valid for more
26 than 90 days after the date of issuance.

1 (g) During the hours of operation of any licensed child
2 care facility, authorized representatives of the Department
3 may without notice visit the facility for the purpose of
4 determining its continuing compliance with this Act or
5 regulations adopted pursuant thereto.

6 (h) Day care centers, day care homes, and group day care
7 homes shall be monitored at least annually by a licensing
8 representative from the Department or the agency that
9 recommended licensure.

10 (Source: P.A. 98-804, eff. 1-1-15.)