



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB0621

Introduced 2/24/2021, by Sen. Julie A. Morrison

SYNOPSIS AS INTRODUCED:

20 ILCS 1305/1-75 new
225 ILCS 10/5

from Ch. 23, par. 2215

Amends the Department of Human Services Act. Requires the Department of Human Services (DHS) to examine child care institutions, maternity centers, child welfare agencies, day care centers, day care agencies, and group homes, and the persons responsible for the care of children therein. Provides that the Department shall not allow any person to examine those facilities who has not passed an examination demonstrating familiarity with the Act and appropriate standards. Provides that with the exception of day care centers, day care homes, and group day care homes, licenses shall be issued by DHS and shall be valid for 4 years. Provides that licenses issued for day care centers, day care homes, and group day care homes shall be valid for 3 years. Provides that DHS may issue one 6-month permit to a newly established facility to allow that facility reasonable time to become eligible for a full license. Permits DHS to issue an emergency permit to a child care facility taking in children as a result of the temporary closure of another facility due to a natural disaster. Permits DHS to visit facilities, without notice, to determine if they are compliant with the Act and rules. Amends the Child Care Act of 1969. Removes a provision requiring the Department of Children and Family Services (DCFS) to examine child care institutions, maternity centers, child welfare agencies, day care centers, day care agencies, and group homes. Removes a provision concerning the licensure of certain facilities by DCFS. Removes language permitting DCFS to issue an emergency permit to a child care facility taking in children because of a temporary closure due to a natural disaster. Requires DCFS to monitor foster family homes. Effective immediately.

LRB102 11581 KTG 16915 b

FISCAL NOTE ACT
MAY APPLY

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 Department of Human Services Act is amended
5 by adding Section 1-75 as follows:

6 (20 ILCS 1305/1-75 new)

7 Sec. 1-75. Child care facilities; licensure.

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

14 (b) The Department shall not allow any person to examine
15 the facilities described in subsection (a) who has not passed
16 an examination demonstrating that such person is familiar with
17 this Act and with the appropriate standards and regulations of
18 the Department.

19 (c) With the exception of day care centers, day care
20 homes, and group day care homes, licenses shall be issued in
21 such form and manner as prescribed by the Department and shall
22 be valid for 4 years from the date issued, unless revoked by
23 the Department or voluntarily surrendered by the licensee.

1 Licenses issued for day care centers, day care homes, and
2 group day care homes shall be valid for 3 years from the date
3 issued, unless revoked by the Department or voluntarily
4 surrendered by the licensee. When a licensee has made timely
5 and sufficient application for the renewal of a license or a
6 new license with reference to any activity of a continuing
7 nature, the existing license shall continue in full force and
8 effect for up to 30 days until the final agency decision on the
9 application has been made. The Department may further extend
10 the period in which such decision must be made in individual
11 cases for up to 30 days, but such extensions shall be only upon
12 good cause shown.

13 (d) The Department may issue one 6-month permit to a newly
14 established facility for child care to allow that facility
15 reasonable time to become eligible for a full license.

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

1 permit issued under this subsection shall be valid for more
2 than 90 days after the date of issuance.

3 (f) During the hours of operation of any licensed child
4 care facility, authorized representatives of the Department
5 may, without notice, visit the facility for the purpose of
6 determining its continuing compliance with this Act or any
7 rules adopted in accordance with this Act.

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

12 Section 10. The Child Care Act of 1969 is amended by
13 changing Section 5 as follows:

14 (225 ILCS 10/5) (from Ch. 23, par. 2215)

15 Sec. 5. (a) (Blank). ~~In respect to child care~~
16 ~~institutions, maternity centers, child welfare agencies, day~~
17 ~~care centers, day care agencies and group homes, the~~
18 ~~Department, upon receiving application filed in proper order,~~
19 ~~shall examine the facilities and persons responsible for care~~
20 ~~of children therein.~~

21 (b) In respect to foster family and day care homes,
22 applications may be filed on behalf of such homes by a licensed
23 child welfare agency, by a State agency authorized to place
24 children in foster care or by out-of-State agencies approved

1 by the Department to place children in this State. In respect
2 to day care homes, applications may be filed on behalf of such
3 homes by a licensed day care agency or licensed child welfare
4 agency. In applying for license in behalf of a home in which
5 children are placed by and remain under supervision of the
6 applicant agency, such agency shall certify that the home and
7 persons responsible for care of unrelated children therein, or
8 the home and relatives, as defined in Section 2.17 of this Act,
9 responsible for the care of related children therein, were
10 found to be in reasonable compliance with standards prescribed
11 by the Department for the type of care indicated.

12 (c) The Department shall not allow any person to examine
13 facilities under a provision of this Act who has not passed an
14 examination demonstrating that such person is familiar with
15 this Act and with the appropriate standards and regulations of
16 the Department.

17 ~~(d) With the exception of day care centers, day care~~
18 ~~homes, and group day care homes, licenses shall be issued in~~
19 ~~such form and manner as prescribed by the Department and are~~
20 ~~valid for 4 years from the date issued, unless revoked by the~~
21 ~~Department or voluntarily surrendered by the licensee.~~
22 Licenses issued for day care centers, day care homes, and
23 group day care homes shall be valid for 3 years from the date
24 issued, unless revoked by the Department or voluntarily
25 surrendered by the licensee. When a licensee has made timely
26 and sufficient application for the renewal of a license or a

1 new license with reference to any activity of a continuing
2 nature, the existing license shall continue in full force and
3 effect for up to 30 days until the final agency decision on the
4 application has been made. The Department may further extend
5 the period in which such decision must be made in individual
6 cases for up to 30 days, but such extensions shall be only upon
7 good cause shown.

8 (e) The Department may issue one 2-month ~~6-month~~ permit to
9 a newly established facility for child care to allow that
10 facility reasonable time to become eligible for a full
11 license. ~~If the facility for child care is a foster family~~
12 ~~home, or day care home the Department may issue one 2-month~~
13 ~~permit only.~~

14 (f) (Blank). ~~The Department may issue an emergency permit~~
15 ~~to a child care facility taking in children as a result of the~~
16 ~~temporary closure for more than 2 weeks of a licensed child~~
17 ~~care facility due to a natural disaster. An emergency permit~~
18 ~~under this subsection shall be issued to a facility only if the~~
19 ~~persons providing child care services at the facility were~~
20 ~~employees of the temporarily closed day care center at the~~
21 ~~time it was closed. No investigation of an employee of a child~~
22 ~~care facility receiving an emergency permit under this~~
23 ~~subsection shall be required if that employee has previously~~
24 ~~been 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) Foster family ~~Day care centers, day care homes, and~~
7 ~~group day care~~ homes shall be monitored at least annually by a
8 licensing representative from the Department or the agency
9 that recommended licensure.

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

11 Section 99. Effective date. This Act takes effect upon
12 becoming law.

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