



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB3308

Introduced 2/17/2023, by Rep. Amy Elik

SYNOPSIS AS INTRODUCED:

225 ILCS 10/25 new
35 ILCS 5/234 new

Amends the Child Care Act of 1969. Creates a manufacturer child care center incentive pilot program in this State. Provides that an applicant shall follow staffing, medication, background checks, and liability insurance requirements as contained in administrative rule. Provides that the pilot program is limited to 10 sites and is available to any manufacturer who has a facility in the State. Provides that a manufacturer may apply on an individual basis or in a group of 2 or more manufacturers. Provides that a child care center must only be made available to employees of the manufacturer at no cost to the employee. Provides the application requirements for the pilot program. Provides requirements for maintaining and dispensing medications for the child care center. Provides that a child care center shall require all persons subject to background checks under administrative rule to furnish written information regarding any criminal convictions, to submit to fingerprinting, and to authorize the background checks required. Provides that the Department of Children and Family Services shall create a website and application process for the pilot program that streamlines the application process and is maintained on the Department website. Provides that an application for the pilot program shall receive priority consideration once submitted. Amends the Illinois Income Tax Act. Creates an income tax credit for each taxpayer who participates in manufacturer child care center incentive pilot program in the amount of \$250 for each child enrolled in the taxpayer's child care center.

LRB103 29107 AMQ 55493 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 25 as follows:

6 (225 ILCS 10/25 new)

7 Sec. 25. Manufacturer child care center incentive pilot
8 program.

9 (a) A manufacturer child care center incentive pilot
10 program is created in the State. An applicant shall follow
11 staffing, medication, background checks, and liability
12 insurance requirements as contained in 89 Ill. Adm. Code 407,
13 unless otherwise prescribed in this Section. The pilot program
14 is limited to 10 sites and is available to any manufacturer who
15 has a facility in the State. A manufacturer may apply on an
16 individual basis or in a group of 2 or more manufacturers. A
17 child care center must only be made available to employees of
18 the manufacturer at no cost to the employee.

19 (b) The application shall include, but is not limited to,
20 the following information:

21 (1) training, including universal precautions,
22 provided to staff to identify and minimize risks,
23 particularly as it relates to the care and supervision of

1 children;

2 (2) the design and maintenance of the building and any
3 vehicles used in the child care center;

4 (3) maintenance and storage of food service and
5 maintenance equipment, chemicals, and supplies, including
6 an integrated pest management plan in accordance with 89
7 Ill. Adm. Code 407.390;

8 (4) selection, maintenance, and supervision of
9 education materials, toys, pets, and playground equipment;

10 (5) food service sanitation;

11 (6) cleanliness of the building and grounds;

12 (7) means of receiving information to alert the child
13 care center of severe weather conditions or other
14 emergency situations that may affect the safety of the
15 children; and

16 (8) emergency and disaster preparedness plans,
17 including fire drills and evacuation plans.

18 (c) The child care center shall maintain a written policy
19 regarding medications. The following are requirements
20 regarding medications:

21 (1) Both prescription and non-prescription medication
22 shall be accepted only in its original container.
23 Prescription medications shall be labeled with the full
24 pharmacy label. Over-the-counter, or nonprescription,
25 medication shall be clearly labeled with the child's first
26 and last name. The container shall be in such condition

1 that the name of the medication and directions for use are
2 clearly readable.

3 (2) Medication shall be administered in a manner that
4 protects the safety of the child, including the following:

5 (A) A specific staff person shall be designated to
6 administer and properly document the dispensation of
7 the medication each day.

8 (B) Prescription medication shall be administered
9 as required by a physician subject to the receipt of
10 appropriate releases from parents, which shall be on
11 file and regularly updated. Prescription medication
12 shall be used only for the child named on the label.

13 (C) Over-the-counter medications may be dispensed
14 in accordance with manufacturer's instructions when
15 provided by the parent with written permission.

16 (D) The child care center shall maintain a record
17 of the dates, times administered, dosages,
18 prescription number, if applicable, and the name of
19 the person administering the medication.

20 (3) Medications shall be safely stored, including the
21 following:

22 (A) Medication containers shall have
23 child-protection caps whenever possible.

24 (B) Medications, whether refrigerated or
25 unrefrigerated, shall be kept in locked cabinets or
26 other containers that are inaccessible to children and

1 that are designated and used only for this purpose.

2 (C) Medications shall be kept in a well-lighted
3 area.

4 (D) Medications shall be kept out of the reach of
5 children.

6 (E) Medication shall not be kept in rooms where
7 food is prepared or stored, unless refrigerated in a
8 separate locked container.

9 (4) Medication shall not be used beyond the date of
10 expiration.

11 (5) When a child no longer needs to receive
12 medication, the unused portion or empty bottle shall be
13 returned to the parent.

14 (6) Any topical products, such as diaper ointment, sun
15 screen, or insect repellent, whether supplied by the
16 parent or by the child care center, shall be approved by
17 the parent in writing prior to use on the child.

18 (d) The child care center shall require all persons
19 subject to background checks, as defined in 89 Ill. Adm. Code
20 385.20, to furnish written information regarding any criminal
21 convictions, to submit to fingerprinting, and to authorize the
22 background checks required by 89 Ill. Adm. Code 385.

23 (e) The Department shall create a website and application
24 process for the pilot program that streamlines the application
25 process and is maintained on the Department website.

26 (f) An application for the pilot program shall receive

1 priority consideration once submitted. A licensing visit must
2 be conducted within 48 hours after receipt of application.

3 (g) The Department shall adopt rules to implement and
4 administer the pilot program.

5 Section 10. The Illinois Income Tax Act is amended by
6 adding Section 234 as follows:

7 (35 ILCS 5/234 new)

8 Sec. 234. Credit for manufacturers participating in the
9 manufacturer child care center incentive pilot program.

10 (a) For tax years beginning on or after January 1, 2024,
11 each taxpayer who participates in the manufacturer child care
12 center incentive pilot program established under Section 25 of
13 the Child Care Act of 1969 is entitled to a credit against the
14 taxes imposed by subsections (a) and (b) of Section 201 in the
15 amount of \$250 per child enrolled in that taxpayer's child
16 care center.

17 (b) For partners and shareholders of Subchapter S
18 corporations, there shall be allowed a credit under this
19 Section to be determined in accordance with the determination
20 of income and distributive share of income under Sections 702
21 and 704 and Subchapter S of the Internal Revenue Code.

22 (c) In no event shall a credit under this Section reduce
23 the taxpayer's liability to less than zero. If the amount of
24 the credit exceeds the tax liability for the year, the excess

1 may be carried forward and applied to the tax liability of the
2 5 taxable years following the excess credit year. The tax
3 credit shall be applied to the earliest year for which there is
4 a tax liability. If there are credits for more than one year
5 that are available to offset a liability, the earlier credit
6 shall be applied first.

7 (d) This Section is exempt from the provisions of Section
8 250.

9 (e) The Department shall adopt any rules necessary to
10 implement and administer this Section.