



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

HB3896

Introduced 2/17/2023, by Rep. Lance Yednock

#### SYNOPSIS AS INTRODUCED:

|                       |                              |
|-----------------------|------------------------------|
| 15 ILCS 335/4C        |                              |
| 20 ILCS 505/5         | from Ch. 23, par. 5005       |
| 20 ILCS 2605/2605-375 | was 20 ILCS 2605/55a in part |
| 50 ILCS 722/10        |                              |
| 55 ILCS 5/5-1090      | from Ch. 34, par. 5-1090     |
| 60 ILCS 1/215-15      |                              |
| 65 ILCS 5/11-5.2-3    | from Ch. 24, par. 11-5.2-3   |
| 325 ILCS 40/3         | from Ch. 23, par. 2253       |
| 325 ILCS 40/6         | from Ch. 23, par. 2256       |
| 325 ILCS 40/7         | from Ch. 23, par. 2257       |
| 325 ILCS 50/1         | from Ch. 23, par. 2281       |
| 325 ILCS 55/1         | from Ch. 23, par. 2271       |

Amends the Illinois State Police Law of the Civil Administrative Code of Illinois. Provides that the Illinois State Police shall create the Be on the Lookout System (BOLO) in the Law Enforcement Agencies Data System (LEADS) that would alert the Missing Persons Awareness Network when an endangered missing youth is entered into LEADS. Provides that the Illinois State Police shall coordinate with the Missing Persons Awareness Network to reach out to the affected family and take the first steps in assisting the family in finding the missing youth. Amends the Missing Persons Identification Act. Defines "endangered missing youth". Provides that an endangered missing youth shall be considered a high-risk missing person and the youth's information shall be immediately inserted into LEADS following the assignment of a case number to the youth's case. In various Acts and Codes, replaces references to "runaway" youth with "missing" youth.

LRB103 27292 AWJ 53663 b

1 AN ACT concerning government.

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

4 Section 5. The Illinois Identification Card Act is amended  
5 by changing Section 4C as follows:

6 (15 ILCS 335/4C)

7 Sec. 4C. Homeless person status. For the purposes of this  
8 Act, an individual's status as a "homeless person" may be  
9 verified by a human services, legal services, or other worker  
10 that has knowledge of the individual's housing status,  
11 including, but not limited to:

12 (1) a homeless service agency receiving federal,  
13 State, county, or municipal funding to provide those  
14 services or otherwise sanctioned by local continuum of  
15 care;

16 (2) an attorney licensed to practice in the State of  
17 Illinois;

18 (3) a public school homeless liaison or school social  
19 worker; or

20 (4) a human services provider funded by the State of  
21 Illinois to serve homeless or missing ~~runaway~~ youth,  
22 individuals with mental illness, or individuals with  
23 addictions.

1           Individuals who are homeless must not be charged for this  
2 verification. The Secretary of State by rule shall establish  
3 standards and procedures consistent with this Section for  
4 waiver of the Illinois Identification Care fee based on  
5 homelessness, which shall include the name and address of the  
6 individual and the agency providing verification of  
7 homelessness. Any falsification of this official record is  
8 subject to penalty.

9           (Source: P.A. 96-183, eff. 7-1-10; 96-1000, eff. 7-2-10.)

10           Section 10. The Children and Family Services Act is  
11 amended by changing Section 5 as follows:

12           (20 ILCS 505/5) (from Ch. 23, par. 5005)

13           Sec. 5. Direct child welfare services; Department of  
14 Children and Family Services. To provide direct child welfare  
15 services when not available through other public or private  
16 child care or program facilities.

17           (a) For purposes of this Section:

18           (1) "Children" means persons found within the State  
19 who are under the age of 18 years. The term also includes  
20 persons under age 21 who:

21           (A) were committed to the Department pursuant to  
22 the Juvenile Court Act or the Juvenile Court Act of  
23 1987 and who continue under the jurisdiction of the  
24 court; or

1 (B) were accepted for care, service and training  
2 by the Department prior to the age of 18 and whose best  
3 interest in the discretion of the Department would be  
4 served by continuing that care, service and training  
5 because of severe emotional disturbances, physical  
6 disability, social adjustment or any combination  
7 thereof, or because of the need to complete an  
8 educational or vocational training program.

9 (2) "Homeless youth" means persons found within the  
10 State who are under the age of 19, are not in a safe and  
11 stable living situation and cannot be reunited with their  
12 families.

13 (3) "Child welfare services" means public social  
14 services which are directed toward the accomplishment of  
15 the following purposes:

16 (A) protecting and promoting the health, safety  
17 and welfare of children, including homeless,  
18 dependent, or neglected children;

19 (B) remedying, or assisting in the solution of  
20 problems which may result in, the neglect, abuse,  
21 exploitation, or delinquency of children;

22 (C) preventing the unnecessary separation of  
23 children from their families by identifying family  
24 problems, assisting families in resolving their  
25 problems, and preventing the breakup of the family  
26 where the prevention of child removal is desirable and

1 possible when the child can be cared for at home  
2 without endangering the child's health and safety;

3 (D) restoring to their families children who have  
4 been removed, by the provision of services to the  
5 child and the families when the child can be cared for  
6 at home without endangering the child's health and  
7 safety;

8 (E) placing children in suitable adoptive homes,  
9 in cases where restoration to the biological family is  
10 not safe, possible, or appropriate;

11 (F) assuring safe and adequate care of children  
12 away from their homes, in cases where the child cannot  
13 be returned home or cannot be placed for adoption. At  
14 the time of placement, the Department shall consider  
15 concurrent planning, as described in subsection (1-1)  
16 of this Section so that permanency may occur at the  
17 earliest opportunity. Consideration should be given so  
18 that if reunification fails or is delayed, the  
19 placement made is the best available placement to  
20 provide permanency for the child;

21 (G) (blank);

22 (H) (blank); and

23 (I) placing and maintaining children in facilities  
24 that provide separate living quarters for children  
25 under the age of 18 and for children 18 years of age  
26 and older, unless a child 18 years of age is in the

1 last year of high school education or vocational  
2 training, in an approved individual or group treatment  
3 program, in a licensed shelter facility, or secure  
4 child care facility. The Department is not required to  
5 place or maintain children:

6 (i) who are in a foster home, or

7 (ii) who are persons with a developmental  
8 disability, as defined in the Mental Health and  
9 Developmental Disabilities Code, or

10 (iii) who are female children who are  
11 pregnant, pregnant and parenting, or parenting, or

12 (iv) who are siblings, in facilities that  
13 provide separate living quarters for children 18  
14 years of age and older and for children under 18  
15 years of age.

16 (b) (Blank).

17 (c) The Department shall establish and maintain  
18 tax-supported child welfare services and extend and seek to  
19 improve voluntary services throughout the State, to the end  
20 that services and care shall be available on an equal basis  
21 throughout the State to children requiring such services.

22 (d) The Director may authorize advance disbursements for  
23 any new program initiative to any agency contracting with the  
24 Department. As a prerequisite for an advance disbursement, the  
25 contractor must post a surety bond in the amount of the advance  
26 disbursement and have a purchase of service contract approved

1 by the Department. The Department may pay up to 2 months  
2 operational expenses in advance. The amount of the advance  
3 disbursement shall be prorated over the life of the contract  
4 or the remaining months of the fiscal year, whichever is less,  
5 and the installment amount shall then be deducted from future  
6 bills. Advance disbursement authorizations for new initiatives  
7 shall not be made to any agency after that agency has operated  
8 during 2 consecutive fiscal years. The requirements of this  
9 Section concerning advance disbursements shall not apply with  
10 respect to the following: payments to local public agencies  
11 for child day care services as authorized by Section 5a of this  
12 Act; and youth service programs receiving grant funds under  
13 Section 17a-4.

14 (e) (Blank).

15 (f) (Blank).

16 (g) The Department shall establish rules and regulations  
17 concerning its operation of programs designed to meet the  
18 goals of child safety and protection, family preservation,  
19 family reunification, and adoption, including, but not limited  
20 to:

21 (1) adoption;

22 (2) foster care;

23 (3) family counseling;

24 (4) protective services;

25 (5) (blank);

26 (6) homemaker service;

- 1           (7) return of missing ~~runaway~~ children;
- 2           (8) (blank);
- 3           (9) placement under Section 5-7 of the Juvenile Court  
4           Act or Section 2-27, 3-28, 4-25, or 5-740 of the Juvenile  
5           Court Act of 1987 in accordance with the federal Adoption  
6           Assistance and Child Welfare Act of 1980; and
- 7           (10) interstate services.

8           Rules and regulations established by the Department shall  
9           include provisions for training Department staff and the staff  
10          of Department grantees, through contracts with other agencies  
11          or resources, in screening techniques to identify substance  
12          use disorders, as defined in the Substance Use Disorder Act,  
13          approved by the Department of Human Services, as a successor  
14          to the Department of Alcoholism and Substance Abuse, for the  
15          purpose of identifying children and adults who should be  
16          referred for an assessment at an organization appropriately  
17          licensed by the Department of Human Services for substance use  
18          disorder treatment.

19          (h) If the Department finds that there is no appropriate  
20          program or facility within or available to the Department for  
21          a youth in care and that no licensed private facility has an  
22          adequate and appropriate program or none agrees to accept the  
23          youth in care, the Department shall create an appropriate  
24          individualized, program-oriented plan for such youth in care.  
25          The plan may be developed within the Department or through  
26          purchase of services by the Department to the extent that it is



1 within its statutory authority to do.

2 (i) Service programs shall be available throughout the  
3 State and shall include but not be limited to the following  
4 services:

5 (1) case management;

6 (2) homemakers;

7 (3) counseling;

8 (4) parent education;

9 (5) day care; and

10 (6) emergency assistance and advocacy.

11 In addition, the following services may be made available  
12 to assess and meet the needs of children and families:

13 (1) comprehensive family-based services;

14 (2) assessments;

15 (3) respite care; and

16 (4) in-home health services.

17 The Department shall provide transportation for any of the  
18 services it makes available to children or families or for  
19 which it refers children or families.

20 (j) The Department may provide categories of financial  
21 assistance and education assistance grants, and shall  
22 establish rules and regulations concerning the assistance and  
23 grants, to persons who adopt children with physical or mental  
24 disabilities, children who are older, or other hard-to-place  
25 children who (i) immediately prior to their adoption were  
26 youth in care or (ii) were determined eligible for financial

1 assistance with respect to a prior adoption and who become  
2 available for adoption because the prior adoption has been  
3 dissolved and the parental rights of the adoptive parents have  
4 been terminated or because the child's adoptive parents have  
5 died. The Department may continue to provide financial  
6 assistance and education assistance grants for a child who was  
7 determined eligible for financial assistance under this  
8 subsection (j) in the interim period beginning when the  
9 child's adoptive parents died and ending with the finalization  
10 of the new adoption of the child by another adoptive parent or  
11 parents. The Department may also provide categories of  
12 financial assistance and education assistance grants, and  
13 shall establish rules and regulations for the assistance and  
14 grants, to persons appointed guardian of the person under  
15 Section 5-7 of the Juvenile Court Act or Section 2-27, 3-28,  
16 4-25, or 5-740 of the Juvenile Court Act of 1987 for children  
17 who were youth in care for 12 months immediately prior to the  
18 appointment of the guardian.

19 The amount of assistance may vary, depending upon the  
20 needs of the child and the adoptive parents, as set forth in  
21 the annual assistance agreement. Special purpose grants are  
22 allowed where the child requires special service but such  
23 costs may not exceed the amounts which similar services would  
24 cost the Department if it were to provide or secure them as  
25 guardian of the child.

26 Any financial assistance provided under this subsection is

1 inalienable by assignment, sale, execution, attachment,  
2 garnishment, or any other remedy for recovery or collection of  
3 a judgment or debt.

4 (j-5) The Department shall not deny or delay the placement  
5 of a child for adoption if an approved family is available  
6 either outside of the Department region handling the case, or  
7 outside of the State of Illinois.

8 (k) The Department shall accept for care and training any  
9 child who has been adjudicated neglected or abused, or  
10 dependent committed to it pursuant to the Juvenile Court Act  
11 or the Juvenile Court Act of 1987.

12 (l) The Department shall offer family preservation  
13 services, as defined in Section 8.2 of the Abused and  
14 Neglected Child Reporting Act, to help families, including  
15 adoptive and extended families. Family preservation services  
16 shall be offered (i) to prevent the placement of children in  
17 substitute care when the children can be cared for at home or  
18 in the custody of the person responsible for the children's  
19 welfare, (ii) to reunite children with their families, or  
20 (iii) to maintain an adoptive placement. Family preservation  
21 services shall only be offered when doing so will not endanger  
22 the children's health or safety. With respect to children who  
23 are in substitute care pursuant to the Juvenile Court Act of  
24 1987, family preservation services shall not be offered if a  
25 goal other than those of subdivisions (A), (B), or (B-1) of  
26 subsection (2) of Section 2-28 of that Act has been set, except

1 that reunification services may be offered as provided in  
2 paragraph (F) of subsection (2) of Section 2-28 of that Act.  
3 Nothing in this paragraph shall be construed to create a  
4 private right of action or claim on the part of any individual  
5 or child welfare agency, except that when a child is the  
6 subject of an action under Article II of the Juvenile Court Act  
7 of 1987 and the child's service plan calls for services to  
8 facilitate achievement of the permanency goal, the court  
9 hearing the action under Article II of the Juvenile Court Act  
10 of 1987 may order the Department to provide the services set  
11 out in the plan, if those services are not provided with  
12 reasonable promptness and if those services are available.

13 The Department shall notify the child and his family of  
14 the Department's responsibility to offer and provide family  
15 preservation services as identified in the service plan. The  
16 child and his family shall be eligible for services as soon as  
17 the report is determined to be "indicated". The Department may  
18 offer services to any child or family with respect to whom a  
19 report of suspected child abuse or neglect has been filed,  
20 prior to concluding its investigation under Section 7.12 of  
21 the Abused and Neglected Child Reporting Act. However, the  
22 child's or family's willingness to accept services shall not  
23 be considered in the investigation. The Department may also  
24 provide services to any child or family who is the subject of  
25 any report of suspected child abuse or neglect or may refer  
26 such child or family to services available from other agencies

1 in the community, even if the report is determined to be  
2 unfounded, if the conditions in the child's or family's home  
3 are reasonably likely to subject the child or family to future  
4 reports of suspected child abuse or neglect. Acceptance of  
5 such services shall be voluntary. The Department may also  
6 provide services to any child or family after completion of a  
7 family assessment, as an alternative to an investigation, as  
8 provided under the "differential response program" provided  
9 for in subsection (a-5) of Section 7.4 of the Abused and  
10 Neglected Child Reporting Act.

11 The Department may, at its discretion except for those  
12 children also adjudicated neglected or dependent, accept for  
13 care and training any child who has been adjudicated addicted,  
14 as a truant minor in need of supervision or as a minor  
15 requiring authoritative intervention, under the Juvenile Court  
16 Act or the Juvenile Court Act of 1987, but no such child shall  
17 be committed to the Department by any court without the  
18 approval of the Department. On and after January 1, 2015 (the  
19 effective date of Public Act 98-803) and before January 1,  
20 2017, a minor charged with a criminal offense under the  
21 Criminal Code of 1961 or the Criminal Code of 2012 or  
22 adjudicated delinquent shall not be placed in the custody of  
23 or committed to the Department by any court, except (i) a minor  
24 less than 16 years of age committed to the Department under  
25 Section 5-710 of the Juvenile Court Act of 1987, (ii) a minor  
26 for whom an independent basis of abuse, neglect, or dependency

1 exists, which must be defined by departmental rule, or (iii) a  
2 minor for whom the court has granted a supplemental petition  
3 to reinstate wardship pursuant to subsection (2) of Section  
4 2-33 of the Juvenile Court Act of 1987. On and after January 1,  
5 2017, a minor charged with a criminal offense under the  
6 Criminal Code of 1961 or the Criminal Code of 2012 or  
7 adjudicated delinquent shall not be placed in the custody of  
8 or committed to the Department by any court, except (i) a minor  
9 less than 15 years of age committed to the Department under  
10 Section 5-710 of the Juvenile Court Act of 1987, ii) a minor  
11 for whom an independent basis of abuse, neglect, or dependency  
12 exists, which must be defined by departmental rule, or (iii) a  
13 minor for whom the court has granted a supplemental petition  
14 to reinstate wardship pursuant to subsection (2) of Section  
15 2-33 of the Juvenile Court Act of 1987. An independent basis  
16 exists when the allegations or adjudication of abuse, neglect,  
17 or dependency do not arise from the same facts, incident, or  
18 circumstances which give rise to a charge or adjudication of  
19 delinquency. The Department shall assign a caseworker to  
20 attend any hearing involving a youth in the care and custody of  
21 the Department who is placed on aftercare release, including  
22 hearings involving sanctions for violation of aftercare  
23 release conditions and aftercare release revocation hearings.

24 As soon as is possible after August 7, 2009 (the effective  
25 date of Public Act 96-134), the Department shall develop and  
26 implement a special program of family preservation services to

1 support intact, foster, and adoptive families who are  
2 experiencing extreme hardships due to the difficulty and  
3 stress of caring for a child who has been diagnosed with a  
4 pervasive developmental disorder if the Department determines  
5 that those services are necessary to ensure the health and  
6 safety of the child. The Department may offer services to any  
7 family whether or not a report has been filed under the Abused  
8 and Neglected Child Reporting Act. The Department may refer  
9 the child or family to services available from other agencies  
10 in the community if the conditions in the child's or family's  
11 home are reasonably likely to subject the child or family to  
12 future reports of suspected child abuse or neglect. Acceptance  
13 of these services shall be voluntary. The Department shall  
14 develop and implement a public information campaign to alert  
15 health and social service providers and the general public  
16 about these special family preservation services. The nature  
17 and scope of the services offered and the number of families  
18 served under the special program implemented under this  
19 paragraph shall be determined by the level of funding that the  
20 Department annually allocates for this purpose. The term  
21 "pervasive developmental disorder" under this paragraph means  
22 a neurological condition, including, but not limited to,  
23 Asperger's Syndrome and autism, as defined in the most recent  
24 edition of the Diagnostic and Statistical Manual of Mental  
25 Disorders of the American Psychiatric Association.

26 (1-1) The legislature recognizes that the best interests

1 of the child require that the child be placed in the most  
2 permanent living arrangement as soon as is practically  
3 possible. To achieve this goal, the legislature directs the  
4 Department of Children and Family Services to conduct  
5 concurrent planning so that permanency may occur at the  
6 earliest opportunity. Permanent living arrangements may  
7 include prevention of placement of a child outside the home of  
8 the family when the child can be cared for at home without  
9 endangering the child's health or safety; reunification with  
10 the family, when safe and appropriate, if temporary placement  
11 is necessary; or movement of the child toward the most  
12 permanent living arrangement and permanent legal status.

13 When determining reasonable efforts to be made with  
14 respect to a child, as described in this subsection, and in  
15 making such reasonable efforts, the child's health and safety  
16 shall be the paramount concern.

17 When a child is placed in foster care, the Department  
18 shall ensure and document that reasonable efforts were made to  
19 prevent or eliminate the need to remove the child from the  
20 child's home. The Department must make reasonable efforts to  
21 reunify the family when temporary placement of the child  
22 occurs unless otherwise required, pursuant to the Juvenile  
23 Court Act of 1987. At any time after the dispositional hearing  
24 where the Department believes that further reunification  
25 services would be ineffective, it may request a finding from  
26 the court that reasonable efforts are no longer appropriate.



1 The Department is not required to provide further  
2 reunification services after such a finding.

3 A decision to place a child in substitute care shall be  
4 made with considerations of the child's health, safety, and  
5 best interests. At the time of placement, consideration should  
6 also be given so that if reunification fails or is delayed, the  
7 placement made is the best available placement to provide  
8 permanency for the child.

9 The Department shall adopt rules addressing concurrent  
10 planning for reunification and permanency. The Department  
11 shall consider the following factors when determining  
12 appropriateness of concurrent planning:

- 13 (1) the likelihood of prompt reunification;
- 14 (2) the past history of the family;
- 15 (3) the barriers to reunification being addressed by  
16 the family;
- 17 (4) the level of cooperation of the family;
- 18 (5) the foster parents' willingness to work with the  
19 family to reunite;
- 20 (6) the willingness and ability of the foster family  
21 to provide an adoptive home or long-term placement;
- 22 (7) the age of the child;
- 23 (8) placement of siblings.

24 (m) The Department may assume temporary custody of any  
25 child if:

- 26 (1) it has received a written consent to such

1 temporary custody signed by the parents of the child or by  
2 the parent having custody of the child if the parents are  
3 not living together or by the guardian or custodian of the  
4 child if the child is not in the custody of either parent,  
5 or

6 (2) the child is found in the State and neither a  
7 parent, guardian nor custodian of the child can be  
8 located.

9 If the child is found in his or her residence without a parent,  
10 guardian, custodian, or responsible caretaker, the Department  
11 may, instead of removing the child and assuming temporary  
12 custody, place an authorized representative of the Department  
13 in that residence until such time as a parent, guardian, or  
14 custodian enters the home and expresses a willingness and  
15 apparent ability to ensure the child's health and safety and  
16 resume permanent charge of the child, or until a relative  
17 enters the home and is willing and able to ensure the child's  
18 health and safety and assume charge of the child until a  
19 parent, guardian, or custodian enters the home and expresses  
20 such willingness and ability to ensure the child's safety and  
21 resume permanent charge. After a caretaker has remained in the  
22 home for a period not to exceed 12 hours, the Department must  
23 follow those procedures outlined in Section 2-9, 3-11, 4-8, or  
24 5-415 of the Juvenile Court Act of 1987.

25 The Department shall have the authority, responsibilities  
26 and duties that a legal custodian of the child would have

1 pursuant to subsection (9) of Section 1-3 of the Juvenile  
2 Court Act of 1987. Whenever a child is taken into temporary  
3 custody pursuant to an investigation under the Abused and  
4 Neglected Child Reporting Act, or pursuant to a referral and  
5 acceptance under the Juvenile Court Act of 1987 of a minor in  
6 limited custody, the Department, during the period of  
7 temporary custody and before the child is brought before a  
8 judicial officer as required by Section 2-9, 3-11, 4-8, or  
9 5-415 of the Juvenile Court Act of 1987, shall have the  
10 authority, responsibilities and duties that a legal custodian  
11 of the child would have under subsection (9) of Section 1-3 of  
12 the Juvenile Court Act of 1987.

13 The Department shall ensure that any child taken into  
14 custody is scheduled for an appointment for a medical  
15 examination.

16 A parent, guardian, or custodian of a child in the  
17 temporary custody of the Department who would have custody of  
18 the child if he were not in the temporary custody of the  
19 Department may deliver to the Department a signed request that  
20 the Department surrender the temporary custody of the child.  
21 The Department may retain temporary custody of the child for  
22 10 days after the receipt of the request, during which period  
23 the Department may cause to be filed a petition pursuant to the  
24 Juvenile Court Act of 1987. If a petition is so filed, the  
25 Department shall retain temporary custody of the child until  
26 the court orders otherwise. If a petition is not filed within

1 the 10-day period, the child shall be surrendered to the  
2 custody of the requesting parent, guardian, or custodian not  
3 later than the expiration of the 10-day period, at which time  
4 the authority and duties of the Department with respect to the  
5 temporary custody of the child shall terminate.

6 (m-1) The Department may place children under 18 years of  
7 age in a secure child care facility licensed by the Department  
8 that cares for children who are in need of secure living  
9 arrangements for their health, safety, and well-being after a  
10 determination is made by the facility director and the  
11 Director or the Director's designate prior to admission to the  
12 facility subject to Section 2-27.1 of the Juvenile Court Act  
13 of 1987. This subsection (m-1) does not apply to a child who is  
14 subject to placement in a correctional facility operated  
15 pursuant to Section 3-15-2 of the Unified Code of Corrections,  
16 unless the child is a youth in care who was placed in the care  
17 of the Department before being subject to placement in a  
18 correctional facility and a court of competent jurisdiction  
19 has ordered placement of the child in a secure care facility.

20 (n) The Department may place children under 18 years of  
21 age in licensed child care facilities when in the opinion of  
22 the Department, appropriate services aimed at family  
23 preservation have been unsuccessful and cannot ensure the  
24 child's health and safety or are unavailable and such  
25 placement would be for their best interest. Payment for board,  
26 clothing, care, training and supervision of any child placed

1 in a licensed child care facility may be made by the  
2 Department, by the parents or guardians of the estates of  
3 those children, or by both the Department and the parents or  
4 guardians, except that no payments shall be made by the  
5 Department for any child placed in a licensed child care  
6 facility for board, clothing, care, training and supervision  
7 of such a child that exceed the average per capita cost of  
8 maintaining and of caring for a child in institutions for  
9 dependent or neglected children operated by the Department.  
10 However, such restriction on payments does not apply in cases  
11 where children require specialized care and treatment for  
12 problems of severe emotional disturbance, physical disability,  
13 social adjustment, or any combination thereof and suitable  
14 facilities for the placement of such children are not  
15 available at payment rates within the limitations set forth in  
16 this Section. All reimbursements for services delivered shall  
17 be absolutely inalienable by assignment, sale, attachment, or  
18 garnishment or otherwise.

19 (n-1) The Department shall provide or authorize child  
20 welfare services, aimed at assisting minors to achieve  
21 sustainable self-sufficiency as independent adults, for any  
22 minor eligible for the reinstatement of wardship pursuant to  
23 subsection (2) of Section 2-33 of the Juvenile Court Act of  
24 1987, whether or not such reinstatement is sought or allowed,  
25 provided that the minor consents to such services and has not  
26 yet attained the age of 21. The Department shall have

1 responsibility for the development and delivery of services  
2 under this Section. An eligible youth may access services  
3 under this Section through the Department of Children and  
4 Family Services or by referral from the Department of Human  
5 Services. Youth participating in services under this Section  
6 shall cooperate with the assigned case manager in developing  
7 an agreement identifying the services to be provided and how  
8 the youth will increase skills to achieve self-sufficiency. A  
9 homeless shelter is not considered appropriate housing for any  
10 youth receiving child welfare services under this Section. The  
11 Department shall continue child welfare services under this  
12 Section to any eligible minor until the minor becomes 21 years  
13 of age, no longer consents to participate, or achieves  
14 self-sufficiency as identified in the minor's service plan.  
15 The Department of Children and Family Services shall create  
16 clear, readable notice of the rights of former foster youth to  
17 child welfare services under this Section and how such  
18 services may be obtained. The Department of Children and  
19 Family Services and the Department of Human Services shall  
20 disseminate this information statewide. The Department shall  
21 adopt regulations describing services intended to assist  
22 minors in achieving sustainable self-sufficiency as  
23 independent adults.

24 (o) The Department shall establish an administrative  
25 review and appeal process for children and families who  
26 request or receive child welfare services from the Department.

1 Youth in care who are placed by private child welfare  
2 agencies, and foster families with whom those youth are  
3 placed, shall be afforded the same procedural and appeal  
4 rights as children and families in the case of placement by the  
5 Department, including the right to an initial review of a  
6 private agency decision by that agency. The Department shall  
7 ensure that any private child welfare agency, which accepts  
8 youth in care for placement, affords those rights to children  
9 and foster families. The Department shall accept for  
10 administrative review and an appeal hearing a complaint made  
11 by (i) a child or foster family concerning a decision  
12 following an initial review by a private child welfare agency  
13 or (ii) a prospective adoptive parent who alleges a violation  
14 of subsection (j-5) of this Section. An appeal of a decision  
15 concerning a change in the placement of a child shall be  
16 conducted in an expedited manner. A court determination that a  
17 current foster home placement is necessary and appropriate  
18 under Section 2-28 of the Juvenile Court Act of 1987 does not  
19 constitute a judicial determination on the merits of an  
20 administrative appeal, filed by a former foster parent,  
21 involving a change of placement decision.

22 (p) (Blank).

23 (q) The Department may receive and use, in their entirety,  
24 for the benefit of children any gift, donation, or bequest of  
25 money or other property which is received on behalf of such  
26 children, or any financial benefits to which such children are

1 or may become entitled while under the jurisdiction or care of  
2 the Department, except that the benefits described in Section  
3 5.46 must be used and conserved consistent with the provisions  
4 under Section 5.46.

5 The Department shall set up and administer no-cost,  
6 interest-bearing accounts in appropriate financial  
7 institutions for children for whom the Department is legally  
8 responsible and who have been determined eligible for  
9 Veterans' Benefits, Social Security benefits, assistance  
10 allotments from the armed forces, court ordered payments,  
11 parental voluntary payments, Supplemental Security Income,  
12 Railroad Retirement payments, Black Lung benefits, or other  
13 miscellaneous payments. Interest earned by each account shall  
14 be credited to the account, unless disbursed in accordance  
15 with this subsection.

16 In disbursing funds from children's accounts, the  
17 Department shall:

18 (1) Establish standards in accordance with State and  
19 federal laws for disbursing money from children's  
20 accounts. In all circumstances, the Department's  
21 "Guardianship Administrator" or his or her designee must  
22 approve disbursements from children's accounts. The  
23 Department shall be responsible for keeping complete  
24 records of all disbursements for each account for any  
25 purpose.

26 (2) Calculate on a monthly basis the amounts paid from



1 State funds for the child's board and care, medical care  
2 not covered under Medicaid, and social services; and  
3 utilize funds from the child's account, as covered by  
4 regulation, to reimburse those costs. Monthly,  
5 disbursements from all children's accounts, up to 1/12 of  
6 \$13,000,000, shall be deposited by the Department into the  
7 General Revenue Fund and the balance over 1/12 of  
8 \$13,000,000 into the DCFS Children's Services Fund.

9 (3) Maintain any balance remaining after reimbursing  
10 for the child's costs of care, as specified in item (2).  
11 The balance shall accumulate in accordance with relevant  
12 State and federal laws and shall be disbursed to the child  
13 or his or her guardian, or to the issuing agency.

14 (r) The Department shall promulgate regulations  
15 encouraging all adoption agencies to voluntarily forward to  
16 the Department or its agent names and addresses of all persons  
17 who have applied for and have been approved for adoption of a  
18 hard-to-place child or child with a disability and the names  
19 of such children who have not been placed for adoption. A list  
20 of such names and addresses shall be maintained by the  
21 Department or its agent, and coded lists which maintain the  
22 confidentiality of the person seeking to adopt the child and  
23 of the child shall be made available, without charge, to every  
24 adoption agency in the State to assist the agencies in placing  
25 such children for adoption. The Department may delegate to an  
26 agent its duty to maintain and make available such lists. The

1 Department shall ensure that such agent maintains the  
2 confidentiality of the person seeking to adopt the child and  
3 of the child.

4 (s) The Department of Children and Family Services may  
5 establish and implement a program to reimburse Department and  
6 private child welfare agency foster parents licensed by the  
7 Department of Children and Family Services for damages  
8 sustained by the foster parents as a result of the malicious or  
9 negligent acts of foster children, as well as providing third  
10 party coverage for such foster parents with regard to actions  
11 of foster children to other individuals. Such coverage will be  
12 secondary to the foster parent liability insurance policy, if  
13 applicable. The program shall be funded through appropriations  
14 from the General Revenue Fund, specifically designated for  
15 such purposes.

16 (t) The Department shall perform home studies and  
17 investigations and shall exercise supervision over visitation  
18 as ordered by a court pursuant to the Illinois Marriage and  
19 Dissolution of Marriage Act or the Adoption Act only if:

20 (1) an order entered by an Illinois court specifically  
21 directs the Department to perform such services; and

22 (2) the court has ordered one or both of the parties to  
23 the proceeding to reimburse the Department for its  
24 reasonable costs for providing such services in accordance  
25 with Department rules, or has determined that neither  
26 party is financially able to pay.

1           The Department shall provide written notification to the  
2 court of the specific arrangements for supervised visitation  
3 and projected monthly costs within 60 days of the court order.  
4 The Department shall send to the court information related to  
5 the costs incurred except in cases where the court has  
6 determined the parties are financially unable to pay. The  
7 court may order additional periodic reports as appropriate.

8           (u) In addition to other information that must be  
9 provided, whenever the Department places a child with a  
10 prospective adoptive parent or parents, in a licensed foster  
11 home, group home, or child care institution, or in a relative  
12 home, the Department shall provide to the prospective adoptive  
13 parent or parents or other caretaker:

14           (1) available detailed information concerning the  
15 child's educational and health history, copies of  
16 immunization records (including insurance and medical card  
17 information), a history of the child's previous  
18 placements, if any, and reasons for placement changes  
19 excluding any information that identifies or reveals the  
20 location of any previous caretaker;

21           (2) a copy of the child's portion of the client  
22 service plan, including any visitation arrangement, and  
23 all amendments or revisions to it as related to the child;  
24 and

25           (3) information containing details of the child's  
26 individualized educational plan when the child is

1 receiving special education services.

2 The caretaker shall be informed of any known social or  
3 behavioral information (including, but not limited to,  
4 criminal background, fire setting, perpetuation of sexual  
5 abuse, destructive behavior, and substance abuse) necessary to  
6 care for and safeguard the children to be placed or currently  
7 in the home. The Department may prepare a written summary of  
8 the information required by this paragraph, which may be  
9 provided to the foster or prospective adoptive parent in  
10 advance of a placement. The foster or prospective adoptive  
11 parent may review the supporting documents in the child's file  
12 in the presence of casework staff. In the case of an emergency  
13 placement, casework staff shall at least provide known  
14 information verbally, if necessary, and must subsequently  
15 provide the information in writing as required by this  
16 subsection.

17 The information described in this subsection shall be  
18 provided in writing. In the case of emergency placements when  
19 time does not allow prior review, preparation, and collection  
20 of written information, the Department shall provide such  
21 information as it becomes available. Within 10 business days  
22 after placement, the Department shall obtain from the  
23 prospective adoptive parent or parents or other caretaker a  
24 signed verification of receipt of the information provided.  
25 Within 10 business days after placement, the Department shall  
26 provide to the child's guardian ad litem a copy of the

1 information provided to the prospective adoptive parent or  
2 parents or other caretaker. The information provided to the  
3 prospective adoptive parent or parents or other caretaker  
4 shall be reviewed and approved regarding accuracy at the  
5 supervisory level.

6 (u-5) Effective July 1, 1995, only foster care placements  
7 licensed as foster family homes pursuant to the Child Care Act  
8 of 1969 shall be eligible to receive foster care payments from  
9 the Department. Relative caregivers who, as of July 1, 1995,  
10 were approved pursuant to approved relative placement rules  
11 previously promulgated by the Department at 89 Ill. Adm. Code  
12 335 and had submitted an application for licensure as a foster  
13 family home may continue to receive foster care payments only  
14 until the Department determines that they may be licensed as a  
15 foster family home or that their application for licensure is  
16 denied or until September 30, 1995, whichever occurs first.

17 (v) The Department shall access criminal history record  
18 information as defined in the Illinois Uniform Conviction  
19 Information Act and information maintained in the adjudicatory  
20 and dispositional record system as defined in Section 2605-355  
21 of the Illinois State Police Law if the Department determines  
22 the information is necessary to perform its duties under the  
23 Abused and Neglected Child Reporting Act, the Child Care Act  
24 of 1969, and the Children and Family Services Act. The  
25 Department shall provide for interactive computerized  
26 communication and processing equipment that permits direct

1 on-line communication with the Illinois State Police's central  
2 criminal history data repository. The Department shall comply  
3 with all certification requirements and provide certified  
4 operators who have been trained by personnel from the Illinois  
5 State Police. In addition, one Office of the Inspector General  
6 investigator shall have training in the use of the criminal  
7 history information access system and have access to the  
8 terminal. The Department of Children and Family Services and  
9 its employees shall abide by rules and regulations established  
10 by the Illinois State Police relating to the access and  
11 dissemination of this information.

12 (v-1) Prior to final approval for placement of a child,  
13 the Department shall conduct a criminal records background  
14 check of the prospective foster or adoptive parent, including  
15 fingerprint-based checks of national crime information  
16 databases. Final approval for placement shall not be granted  
17 if the record check reveals a felony conviction for child  
18 abuse or neglect, for spousal abuse, for a crime against  
19 children, or for a crime involving violence, including rape,  
20 sexual assault, or homicide, but not including other physical  
21 assault or battery, or if there is a felony conviction for  
22 physical assault, battery, or a drug-related offense committed  
23 within the past 5 years.

24 (v-2) Prior to final approval for placement of a child,  
25 the Department shall check its child abuse and neglect  
26 registry for information concerning prospective foster and

1 adoptive parents, and any adult living in the home. If any  
2 prospective foster or adoptive parent or other adult living in  
3 the home has resided in another state in the preceding 5 years,  
4 the Department shall request a check of that other state's  
5 child abuse and neglect registry.

6 (w) Within 120 days of August 20, 1995 (the effective date  
7 of Public Act 89-392), the Department shall prepare and submit  
8 to the Governor and the General Assembly, a written plan for  
9 the development of in-state licensed secure child care  
10 facilities that care for children who are in need of secure  
11 living arrangements for their health, safety, and well-being.  
12 For purposes of this subsection, secure care facility shall  
13 mean a facility that is designed and operated to ensure that  
14 all entrances and exits from the facility, a building or a  
15 distinct part of the building, are under the exclusive control  
16 of the staff of the facility, whether or not the child has the  
17 freedom of movement within the perimeter of the facility,  
18 building, or distinct part of the building. The plan shall  
19 include descriptions of the types of facilities that are  
20 needed in Illinois; the cost of developing these secure care  
21 facilities; the estimated number of placements; the potential  
22 cost savings resulting from the movement of children currently  
23 out-of-state who are projected to be returned to Illinois; the  
24 necessary geographic distribution of these facilities in  
25 Illinois; and a proposed timetable for development of such  
26 facilities.

1           (x) The Department shall conduct annual credit history  
2 checks to determine the financial history of children placed  
3 under its guardianship pursuant to the Juvenile Court Act of  
4 1987. The Department shall conduct such credit checks starting  
5 when a youth in care turns 12 years old and each year  
6 thereafter for the duration of the guardianship as terminated  
7 pursuant to the Juvenile Court Act of 1987. The Department  
8 shall determine if financial exploitation of the child's  
9 personal information has occurred. If financial exploitation  
10 appears to have taken place or is presently ongoing, the  
11 Department shall notify the proper law enforcement agency, the  
12 proper State's Attorney, or the Attorney General.

13           (y) Beginning on July 22, 2010 (the effective date of  
14 Public Act 96-1189), a child with a disability who receives  
15 residential and educational services from the Department shall  
16 be eligible to receive transition services in accordance with  
17 Article 14 of the School Code from the age of 14.5 through age  
18 21, inclusive, notwithstanding the child's residential  
19 services arrangement. For purposes of this subsection, "child  
20 with a disability" means a child with a disability as defined  
21 by the federal Individuals with Disabilities Education  
22 Improvement Act of 2004.

23           (z) The Department shall access criminal history record  
24 information as defined as "background information" in this  
25 subsection and criminal history record information as defined  
26 in the Illinois Uniform Conviction Information Act for each



1 Department employee or Department applicant. Each Department  
2 employee or Department applicant shall submit his or her  
3 fingerprints to the Illinois State Police in the form and  
4 manner prescribed by the Illinois State Police. These  
5 fingerprints shall be checked against the fingerprint records  
6 now and hereafter filed in the Illinois State Police and the  
7 Federal Bureau of Investigation criminal history records  
8 databases. The Illinois State Police shall charge a fee for  
9 conducting the criminal history record check, which shall be  
10 deposited into the State Police Services Fund and shall not  
11 exceed the actual cost of the record check. The Illinois State  
12 Police shall furnish, pursuant to positive identification, all  
13 Illinois conviction information to the Department of Children  
14 and Family Services.

15 For purposes of this subsection:

16 "Background information" means all of the following:

17 (i) Upon the request of the Department of Children and  
18 Family Services, conviction information obtained from the  
19 Illinois State Police as a result of a fingerprint-based  
20 criminal history records check of the Illinois criminal  
21 history records database and the Federal Bureau of  
22 Investigation criminal history records database concerning  
23 a Department employee or Department applicant.

24 (ii) Information obtained by the Department of  
25 Children and Family Services after performing a check of  
26 the Illinois State Police's Sex Offender Database, as

1 authorized by Section 120 of the Sex Offender Community  
2 Notification Law, concerning a Department employee or  
3 Department applicant.

4 (iii) Information obtained by the Department of  
5 Children and Family Services after performing a check of  
6 the Child Abuse and Neglect Tracking System (CANTS)  
7 operated and maintained by the Department.

8 "Department employee" means a full-time or temporary  
9 employee coded or certified within the State of Illinois  
10 Personnel System.

11 "Department applicant" means an individual who has  
12 conditional Department full-time or part-time work, a  
13 contractor, an individual used to replace or supplement staff,  
14 an academic intern, a volunteer in Department offices or on  
15 Department contracts, a work-study student, an individual or  
16 entity licensed by the Department, or an unlicensed service  
17 provider who works as a condition of a contract or an agreement  
18 and whose work may bring the unlicensed service provider into  
19 contact with Department clients or client records.

20 (Source: P.A. 101-13, eff. 6-12-19; 101-79, eff. 7-12-19;  
21 101-81, eff. 7-12-19; 102-538, eff. 8-20-21; 102-558, eff.  
22 8-20-21; 102-1014, eff. 5-27-22.)

23 Section 15. The Illinois State Police Law of the Civil  
24 Administrative Code of Illinois is amended by changing Section  
25 2605-375 as follows:

1 (20 ILCS 2605/2605-375) (was 20 ILCS 2605/55a in part)

2 Sec. 2605-375. Missing persons; Law Enforcement Agencies  
3 Data System (LEADS).

4 (a) To utilize the statewide Law Enforcement Agencies Data  
5 System (LEADS) for the purpose of providing electronic access  
6 by authorized entities to criminal justice data repositories  
7 and effecting an immediate law enforcement response to reports  
8 of missing persons, including lost ~~or~~ missing ~~or runaway~~  
9 minors, lost or missing individuals with developmental or  
10 intellectual disabilities, and missing endangered seniors. The  
11 Illinois State Police shall implement an automatic data  
12 exchange system to compile, to maintain, and to make available  
13 to other law enforcement agencies for immediate dissemination  
14 data that can assist appropriate agencies in recovering  
15 missing persons and provide access by authorized entities to  
16 various data repositories available through LEADS for criminal  
17 justice and related purposes. To assist the Illinois State  
18 Police in this effort, funds may be appropriated from the  
19 LEADS Maintenance Fund. Funds may be appropriated from the  
20 LEADS Maintenance Fund to the Illinois State Police to finance  
21 any of its lawful purposes or functions in relation to  
22 defraying the expenses associated with establishing,  
23 maintaining, and supporting the issuance of electronic  
24 citations.

25 (b) In exercising its duties under this Section, the

1 Illinois State Police shall provide a uniform reporting format  
2 (LEADS) for the entry of pertinent information regarding the  
3 report of a missing person into LEADS. The report must include  
4 all of the following:

5 (1) Relevant information obtained from the  
6 notification concerning the missing person, including all  
7 of the following:

8 (A) a physical description of the missing person;

9 (B) the date, time, and place that the missing  
10 person was last seen; and

11 (C) the missing person's address.

12 (2) Information gathered by a preliminary  
13 investigation, if one was made.

14 (3) A statement by the law enforcement officer in  
15 charge stating the officer's assessment of the case based  
16 on the evidence and information received.

17 (b-5) The Illinois State Police shall:

18 (1) Develop and implement a policy whereby a statewide  
19 or regional alert would be used in situations relating to  
20 the disappearances of individuals, based on criteria and  
21 in a format established by the Illinois State Police. Such  
22 a format shall include, but not be limited to, the age of  
23 the missing person and the suspected circumstance of the  
24 disappearance.

25 (2) Notify all law enforcement agencies that reports  
26 of missing persons shall be entered as soon as the minimum

1 level of data specified by the Illinois State Police is  
2 available to the reporting agency and that no waiting  
3 period for the entry of the data exists.

4 (3) Compile and retain information regarding lost,  
5 abducted, or missing, ~~or runaway~~ minors in a separate data  
6 file, in a manner that allows that information to be used  
7 by law enforcement and other agencies deemed appropriate  
8 by the Director, for investigative purposes. The  
9 information shall include the disposition of all reported  
10 lost, abducted, or missing, ~~or runaway~~ minor cases.

11 (4) Compile and maintain an historic data repository  
12 relating to lost, abducted, or missing, ~~or runaway~~ minors  
13 and other missing persons, including, but not limited to,  
14 lost or missing individuals with developmental or  
15 intellectual disabilities and missing endangered seniors,  
16 in order to develop and improve techniques utilized by law  
17 enforcement agencies when responding to reports of missing  
18 persons.

19 (5) Create a quality control program regarding  
20 confirmation of missing person data, timeliness of entries  
21 of missing person reports into LEADS, and performance  
22 audits of all entering agencies.

23 (6) Create the Be on the Lookout (BOLO) System in  
24 LEADS that would alert the Missing Persons Awareness  
25 Network or similar volunteer network when an endangered  
26 missing youth is entered into LEADS. The Illinois State

1 Police shall coordinate with the Missing Persons Awareness  
2 Network or similar volunteer network as provided under  
3 paragraph (5) of subsection (c) of Section 10 of the  
4 Missing Persons Identification Act. As used in this  
5 paragraph, "endangered missing youth" has the meaning  
6 given to that term in Section 10 of the Missing Persons  
7 Identification Act.

8 (c) The Illinois Law Enforcement Training Standards Board  
9 shall conduct a training program for law enforcement personnel  
10 of local governmental agencies in the Missing Persons  
11 Identification Act.

12 (d) The Illinois State Police shall perform the duties  
13 prescribed in the Missing Persons Identification Act, subject  
14 to appropriation.

15 (Source: P.A. 102-538, eff. 8-20-21.)

16 Section 20. The Missing Persons Identification Act is  
17 amended by changing Section 10 as follows:

18 (50 ILCS 722/10)

19 Sec. 10. Law enforcement analysis and reporting of missing  
20 person information.

21 (a) Definitions. As used in this Section: ~~Prompt~~  
22 ~~determination and definition of a high-risk missing person.~~

23 ~~(1) Definition.~~ "Endangered missing youth" means a person  
24 age 18 or younger whose whereabouts are not currently known.

1 All youth are assumed abducted until evidence proves that it  
2 is a case of a runaway youth.

3 "High-risk missing person" means a person whose  
4 whereabouts are not currently known and whose circumstances  
5 indicate that the person may be at risk of injury or death. The  
6 circumstances that indicate that a person is a high-risk  
7 missing person include, but are not limited to, any of the  
8 following:

9 (A) the person is missing as a result of a stranger  
10 abduction;

11 (B) the person is missing under suspicious  
12 circumstances;

13 (C) the person is missing under unknown circumstances;

14 (D) the person is missing under known dangerous  
15 circumstances;

16 (E) the person is missing more than 30 days;

17 (F) the person has already been designated as a  
18 high-risk missing person by another law enforcement  
19 agency;

20 (G) there is evidence that the person is at risk  
21 because:

22 (i) the person is in need of medical  
23 attention, including but not limited to persons  
24 with dementia-like symptoms, or prescription  
25 medication;

26 (ii) the person does not have a pattern of

1 running away or disappearing;

2 (iii) the person may have been abducted by a  
3 non-custodial parent;

4 (iv) the person is mentally impaired,  
5 including, but not limited to, a person having a  
6 developmental disability, as defined in Section  
7 1-106 of the Mental Health and Developmental  
8 Disabilities Code, or a person having an  
9 intellectual disability, as defined in Section  
10 1-116 of the Mental Health and Developmental  
11 Disabilities Code;

12 (v) the person is under the age of 21;

13 (vi) the person has been the subject of past  
14 threats or acts of violence;

15 (vii) the person has eloped from a nursing  
16 home;

17 (G-5) the person is a veteran or active duty member of  
18 the United States Armed Forces, the National Guard, or any  
19 reserve component of the United States Armed Forces who is  
20 believed to have a physical or mental health condition  
21 that is related to his or her service; ~~or~~

22 (G-6) the person is an endangered missing youth; or

23 (H) any other factor that may, in the judgment of the  
24 law enforcement official, indicate that the missing person  
25 may be at risk.

26 (b) Law enforcement risk assessment.



1           (1) Upon initial receipt of a missing person report,  
2           the law enforcement agency shall immediately determine  
3           whether there is a basis to determine that the missing  
4           person is a high-risk missing person.

5           (2) If a law enforcement agency has previously  
6           determined that a missing person is not a high-risk  
7           missing person, but obtains new information, it shall  
8           immediately determine whether the information indicates  
9           that the missing person is a high-risk missing person.

10          (3) Law enforcement agencies are encouraged to  
11          establish written protocols for the handling of missing  
12          person cases to accomplish the purposes of this Act.

13          (c) Law enforcement reporting.

14          (1) The responding local law enforcement agency shall  
15          immediately enter all collected information relating to  
16          the missing person case in the Law Enforcement Agencies  
17          Data System (LEADS) and the National Crime Information  
18          Center (NCIC) databases and the National Missing and  
19          Unidentified Persons System (NamUs) within 45 days after  
20          the receipt of the report, or in the case of (i) a  
21          high-risk ~~high-risk~~ missing person, within 30 days after  
22          the receipt of the report, or (ii) an endangered missing  
23          youth, immediately following the assignment of a case  
24          number to the endangered missing youth case. If the DNA  
25          sample submission is to a National Missing and  
26          Unidentified Persons System (NamUs) partner laboratory,

1 the DNA profile may be uploaded by the partner laboratory  
2 to the National DNA Index System (NDIS). A packet  
3 submission of all relevant reports and DNA samples may be  
4 sent to the National Missing and Unidentified Persons  
5 System (NamUs) within 30 days for any high-risk missing  
6 person cases. The information shall be provided in  
7 accordance with applicable guidelines relating to the  
8 databases. The information shall be entered as follows:

9 (A) If Illinois State Police laboratories are  
10 utilized in lieu of National Missing and Unidentified  
11 Persons System (NamUs) partner laboratories, all  
12 appropriate DNA profiles, as determined by the  
13 Illinois State Police, shall be uploaded into the  
14 missing person databases of the State DNA Index System  
15 (SDIS) and National DNA Index System (NDIS) after  
16 completion of the DNA analysis and other procedures  
17 required for database entry. The responding local law  
18 enforcement agency may submit any DNA samples  
19 voluntarily obtained from family members to a National  
20 Missing and Unidentified Persons System (NamUs)  
21 partner laboratory for DNA analysis within 30 days. A  
22 notation of DNA submission may be made within the  
23 National Missing and Unidentified Persons System  
24 (NamUs) record.

25 (B) Information relevant to the Federal Bureau of  
26 Investigation's Violent Criminal Apprehension Program

1 shall be entered as soon as possible.

2 (C) The Illinois State Police shall ensure that  
3 persons entering data relating to medical or dental  
4 records in State or federal databases are specifically  
5 trained to understand and correctly enter the  
6 information sought by these databases. The Illinois  
7 State Police shall either use a person with specific  
8 expertise in medical or dental records for this  
9 purpose or consult with a chief medical examiner,  
10 forensic anthropologist, or odontologist to ensure the  
11 accuracy and completeness of information entered into  
12 the State and federal databases.

13 (2) The Illinois State Police shall immediately notify  
14 all law enforcement agencies within this State and the  
15 surrounding region of the information that will aid in the  
16 prompt location and safe return of the high-risk missing  
17 person.

18 (3) The local law enforcement agencies that receive  
19 the notification from the Illinois State Police shall  
20 notify officers to be on the lookout for the missing  
21 person or a suspected abductor.

22 (4) Pursuant to any applicable State criteria, local  
23 law enforcement agencies shall also provide for the prompt  
24 use of an Amber Alert in cases involving abducted  
25 children; ~~or~~ use of the Endangered Missing Person Advisory  
26 in appropriate high-risk ~~high-risk~~ cases, or use the Be on

1        the Lookout (BOLO) System in endangered missing youth  
2        cases;

3            (5) In cases where the Be on the Lookout (BOLO) System  
4        has been triggered for an endangered missing youth, the  
5        Missing Persons Action Network or similar volunteer  
6        network must assign a liaison responsible for reaching out  
7        to the family and assisting law enforcement and the family  
8        in finding the endangered missing youth, as well as  
9        putting the family in contact with the organization's  
10       network of investigators.

11       (Source: P.A. 101-81, eff. 7-12-19; 101-266, eff. 1-1-21;  
12       102-538, eff. 8-20-21.)

13           Section 25. The Counties Code is amended by changing  
14       Section 5-1090 as follows:

15           (55 ILCS 5/5-1090) (from Ch. 34, par. 5-1090)

16           Sec. 5-1090. Missing Runaway or homeless youths. A county  
17       board may annually appropriate funds to private nonprofit  
18       organizations for the purpose of providing services to missing  
19       ~~runaway~~ or homeless youths and their families. The services  
20       may include temporary shelter, food, clothing, medical care,  
21       transportation, individual and family counseling, and any  
22       other service necessary to provide adequate temporary,  
23       protective care for missing ~~runaway~~ or homeless youths, and to  
24       reunite the youths with their parents or guardians. For the

1 purposes of this Section, "~~missing-runaway~~ or homeless youth"  
2 means a person under the age of 18, who is absent from his  
3 legal residence without the consent of his parent or legal  
4 guardian, or who is without a place of shelter where  
5 supervision and care are available.

6 (Source: P.A. 86-962.)

7 Section 30. The Township Code is amended by changing  
8 Section 215-15 as follows:

9 (60 ILCS 1/215-15)

10 Sec. 215-15. Missing ~~Runaway~~ or homeless youths. The  
11 township board annually may appropriate funds to private  
12 nonprofit organizations for the purpose of providing services  
13 to missing ~~runaway~~ or homeless youths and their families. The  
14 services may include temporary shelter, food, clothing,  
15 medical care, transportation, individual and family  
16 counseling, and any other service necessary to provide  
17 adequate temporary, protective care for missing ~~runaway~~ or  
18 homeless youths and to reunite the youths with their parents  
19 or guardians. For purposes of this Section, "missing ~~runaway~~  
20 or homeless youth" means a person under the age of 18 years who  
21 is absent from his legal residence without the consent of his  
22 parent or legal guardian or who is without a place of shelter  
23 where supervision and care are available.

24 (Source: P.A. 83-1284; 88-62.)

1 Section 35. The Illinois Municipal Code is amended by  
2 changing Section 11-5.2-3 as follows:

3 (65 ILCS 5/11-5.2-3) (from Ch. 24, par. 11-5.2-3)

4 Sec. 11-5.2-3. The corporate authorities of a municipality  
5 annually may appropriate funds to private nonprofit  
6 organizations for the purpose of providing services to missing  
7 ~~runaway~~ or homeless youths and their families. Such services  
8 may include temporary shelter, food, clothing, medical care,  
9 transportation, individual and family counseling, and any  
10 other service necessary to provide adequate temporary,  
11 protective care for missing ~~runaway~~ or homeless youths, and to  
12 reunite the youths with their parents or guardians. For the  
13 purposes of this Section, "missing ~~runaway~~ or homeless youth"  
14 means a person under the age of 18 years who is absent from his  
15 legal residence without the consent of his parent or legal  
16 guardian, or who is without a place of shelter where  
17 supervision and care are available.

18 (Source: P.A. 83-1284.)

19 Section 40. The Intergovernmental Missing Child Recovery  
20 Act of 1984 is amended by changing Sections 3, 6, and 7 as  
21 follows:

22 (325 ILCS 40/3) (from Ch. 23, par. 2253)

1           Sec. 3. The Illinois State Police shall establish a State  
2 Missing Persons Clearinghouse as a resource to promote an  
3 immediate and effective community response to missing children  
4 and may engage in, but shall not be limited to, the following  
5 activities:

6           (a) To establish and conduct programs to educate parents,  
7 children and communities in ways to prevent the abduction of  
8 children.

9           (b) To conduct training programs and distribute materials  
10 providing guidelines for children when dealing with strangers,  
11 casual acquaintances, or non-custodial parents, in order to  
12 avoid abduction or kidnapping situations.

13           (c) To compile, maintain and make available data upon the  
14 request of law enforcement agencies and other entities deemed  
15 appropriate by the Illinois State Police to assist enforcement  
16 agencies in recovering missing children, including but not  
17 limited to data regarding the places of shelter commonly used  
18 by missing ~~runaway~~ children in a requested geographical area.

19           (d) To draft and implement plans for the most efficient  
20 use of available resources to publicize information regarding  
21 missing children.

22           (e) To establish and maintain contacts with other state  
23 missing persons clearinghouses, law enforcement agencies, and  
24 missing persons non-profit organizations in order to increase  
25 the probability of locating and returning missing children,  
26 and to otherwise assist in the recovery and tracking of

1 missing children.

2 (f) To coordinate the tracking and recovery of children  
3 under the custody or guardianship of the Department of  
4 Children and Family Services whose disappearance has been  
5 reported and to produce an annual report indicating the number  
6 of children under the custody or guardianship of that  
7 Department who have been reported missing and the number who  
8 have been recovered.

9 (g) To conduct other activities as may be necessary to  
10 achieve the goals established by this Act.

11 (Source: P.A. 102-538, eff. 8-20-21.)

12 (325 ILCS 40/6) (from Ch. 23, par. 2256)

13 Sec. 6. The Illinois State Police shall:

14 (a) Utilize the statewide Law Enforcement Agencies Data  
15 System (LEADS) for the purpose of effecting an immediate law  
16 enforcement response to reports of missing children. The  
17 Illinois State Police shall implement an automated data  
18 exchange system to compile, to maintain and to make available  
19 for dissemination to Illinois and out-of-State law enforcement  
20 agencies, data which can assist appropriate agencies in  
21 recovering missing children.

22 (b) Establish contacts and exchange information regarding  
23 lost or ~~missing or runaway~~ children with nationally  
24 recognized "missing person ~~and runaway~~" service organizations  
25 and monitor national research and publicize important



1 developments.

2 (c) Provide a uniform reporting format for the entry of  
3 pertinent information regarding reports of missing children  
4 into LEADS.

5 (d) Develop and implement a policy whereby a statewide or  
6 regional alert would be used in situations relating to the  
7 disappearances of children, based on criteria and in a format  
8 established by the Illinois State Police. Such a format shall  
9 include, but not be limited to, the age and physical  
10 description of the missing child and the suspected  
11 circumstances of the disappearance.

12 (e) Notify all law enforcement agencies that reports of  
13 missing persons shall be entered as soon as the minimum level  
14 of data specified by the Illinois State Police is available to  
15 the reporting agency and that no waiting period for entry of  
16 such data exists.

17 (f) Provide a procedure for prompt confirmation of the  
18 receipt and entry of the missing child report into LEADS to the  
19 parent or guardian of the missing child.

20 (g) Compile and retain information regarding missing  
21 children in a separate data file, in a manner that allows such  
22 information to be used by law enforcement and other agencies  
23 deemed appropriate by the Director, for investigative  
24 purposes. Such files shall be updated to reflect and include  
25 information relating to the disposition of the case.

26 (h) Compile and maintain an historic data repository

1 relating to missing children in order (1) to develop and  
2 improve techniques utilized by law enforcement agencies when  
3 responding to reports of missing children and (2) to provide a  
4 factual and statistical base for research that would address  
5 the problem of missing children.

6 (i) Create a quality control program to monitor timeliness  
7 of entries of missing children reports into LEADS and conduct  
8 performance audits of all entering agencies.

9 (j) Prepare a periodic information bulletin concerning  
10 missing children who it determines may be present in this  
11 State, compiling such bulletin from information contained in  
12 both the National Crime Information Center computer and from  
13 reports, alerts and other information entered into LEADS or  
14 otherwise compiled and retained by the Illinois State Police  
15 pursuant to this Act. The bulletin shall indicate the name,  
16 age, physical description, suspected circumstances of  
17 disappearance if that information is available, a photograph  
18 if one is available, the name of the law enforcement agency  
19 investigating the case, and such other information as the  
20 Director considers appropriate concerning each missing child  
21 who the Illinois State Police determines may be present in  
22 this State. The Illinois State Police shall send a copy of each  
23 periodic information bulletin to the State Board of Education  
24 for its use in accordance with Section 2-3.48 of the School  
25 Code. The Illinois State Police shall provide a copy of the  
26 bulletin, upon request, to law enforcement agencies of this or

1 any other state or of the federal government, and may provide a  
2 copy of the bulletin, upon request, to other persons or  
3 entities, if deemed appropriate by the Director, and may  
4 establish limitations on its use and a reasonable fee for so  
5 providing the same, except that no fee shall be charged for  
6 providing the periodic information bulletin to the State Board  
7 of Education, appropriate units of local government, State  
8 agencies, or law enforcement agencies of this or any other  
9 state or of the federal government.

10 (k) Provide for the entry into LEADS of the names and  
11 addresses of sex offenders as defined in the Sex Offender  
12 Registration Act who are required to register under that Act.  
13 The information shall be immediately accessible to law  
14 enforcement agencies and peace officers of this State or any  
15 other state or of the federal government. Similar information  
16 may be requested from any other state or of the federal  
17 government for purposes of this Act.

18 (l) Provide for the entry into LEADS of the names and  
19 addresses of violent offenders against youth as defined in the  
20 Murderer and Violent Offender Against Youth Registration Act  
21 who are required to register under that Act. The information  
22 shall be immediately accessible to law enforcement agencies  
23 and peace officers of this State or any other state or of the  
24 federal government. Similar information may be requested from  
25 any other state or of the federal government for purposes of  
26 this Act.

1 (Source: P.A. 102-538, eff. 8-20-21.)

2 (325 ILCS 40/7) (from Ch. 23, par. 2257)

3 Sec. 7. (a) All law enforcement agencies and policing  
4 bodies of this State shall, upon receipt of a report of a  
5 missing person, enter that report into LEADS as soon as the  
6 minimum level of data specified pursuant to subsection (e) of  
7 Section 6 is available and shall furnish the Illinois State  
8 Police, in the form and detail the Illinois State Police  
9 requires, (1) reports of cases of lost or ~~7~~ missing ~~or runaway~~  
10 children as they arise and the disposition of such cases, (2)  
11 information relating to sex crimes which occurred in their  
12 respective jurisdictions and which they investigated, and (3)  
13 the names and addresses of sex offenders required to register  
14 in their respective jurisdictions under the Sex Offender  
15 Registration Act. Such information shall be submitted on a  
16 regular basis, as deemed necessary by the Illinois State  
17 Police, and shall be kept in a central automated data  
18 repository for the purpose of establishing profiles of sex  
19 offenders and victims and to assist all law enforcement  
20 agencies in the identification and apprehension of sex  
21 offenders.

22 (b) In addition to entering the report of a missing child  
23 into LEADS as prescribed by subsection (a), all law  
24 enforcement agencies shall, upon receipt of a report of a  
25 missing child:

1           (1) Immediately make a radio dispatch to officers on  
2 duty at the time of receipt of the report. The dispatch  
3 shall contain the name and approximate age of the missing  
4 child and any other pertinent information available at  
5 that time. In the event that the law enforcement agency  
6 receiving the report of the missing child does not operate  
7 a radio dispatch system, a geographically appropriate  
8 radio dispatch system shall be used, such as the Illinois  
9 State Police Emergency Radio Network or a similar  
10 multi-agency law enforcement radio communication system  
11 serving the area of the reporting agency.

12           In addition, in the event that a missing child is not  
13 recovered during the work shift in which the radio  
14 dispatch was made, the law enforcement agency receiving  
15 the report of the missing child shall disseminate the  
16 information relating to the missing child to all sworn  
17 personnel employed by the agency who work or are assigned  
18 to other shifts or time periods.

19           (2) Immediately contact State Missing Persons  
20 Clearinghouse personnel designated by the Illinois State  
21 Police, by a means and in a manner and form prescribed by  
22 the Illinois State Police, informing the personnel of the  
23 report of the missing child.

24 (Source: P.A. 102-538, eff. 8-20-21.)

25           Section 45. The Missing Children Records Act is amended by

1 changing Section 1 as follows:

2 (325 ILCS 50/1) (from Ch. 23, par. 2281)

3 Sec. 1. Definitions. As used in this Act, unless the  
4 context requires otherwise:

5 (a) "Custodian" means the State Registrar of Vital  
6 Records, local registrars of vital records appointed by the  
7 State Registrar and county clerks.

8 (b) (Blank).

9 (c) "Missing person" means a person 17 years old or  
10 younger reported to any law enforcement authority as abducted,  
11 lost, or missing ~~a runaway~~.

12 (d) "Registrar" means the State Registrar of Vital  
13 Records.

14 (Source: P.A. 102-538, eff. 8-20-21.)

15 Section 50. The Missing Children Registration Law is  
16 amended by changing Section 1 as follows:

17 (325 ILCS 55/1) (from Ch. 23, par. 2271)

18 Sec. 1. Definitions. As used in this Article, unless the  
19 context requires otherwise:

20 (a) "Custodian" means the State Registrar of Vital  
21 Records, local registrars of vital records appointed by the  
22 State Registrar and county clerks.

23 (b) (Blank).

1           (c) "Missing child" means a person under the age of 18  
2 years, reported to any law enforcement authority as abducted,  
3 lost, or missing ~~a runaway~~, whose identity is entered into the  
4 Law Enforcement Agencies Data System.

5           (d) "Registrar" means the State Registrar of Vital  
6 Records.

7           (Source: P.A. 102-538, eff. 8-20-21.)