



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB5175

Introduced 2/9/2024, by Rep. Jackie Haas

SYNOPSIS AS INTRODUCED:

5 ILCS 100/5-45.55 new
225 ILCS 10/2.02
225 ILCS 10/3.7 new

from Ch. 23, par. 2212.02

Amends the Child Care Act of 1969. Provides that the transfer of responsibility for licensure of day care centers, day care homes, and group day care from the Department of Children and Family Services to the Department of Human Services shall begin on the effective date of the amendatory Act. Provides that the Department of Human Services may adopt any rules and execute any intergovernmental agreements necessary to assume responsibility for the transfer. Amends the Illinois Administrative Procedure Act to provide for emergency rulemaking.

LRB103 37861 RTM 67992 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 Illinois Administrative Procedure Act is
5 amended by adding Section 5-45.55 as follows:

6 (5 ILCS 100/5-45.55 new)

7 Sec. 5-45.55. Emergency rulemaking; Department of Human
8 Services. To provide for the expeditious and timely
9 implementation of this amendatory Act of the 103rd General
10 Assembly, emergency rules implementing this amendatory Act of
11 the 103rd General Assembly may be adopted in accordance with
12 Section 5-45 by the Department of Human Services. The adoption
13 of emergency rules authorized by Section 5-45 and this Section
14 is deemed to be necessary for the public interest, safety, and
15 welfare.

16 This Section is repealed one year after the effective date
17 of this amendatory Act of the 103rd General Assembly.

18 Section 10. The Child Care Act of 1969 is amended by
19 changing Section 2.02 and by adding Section 3.7 as follows:

20 (225 ILCS 10/2.02) (from Ch. 23, par. 2212.02)

21 Sec. 2.02. "Department" means:

1 the Illinois Department of Children and Family Services,
2 except that, after the transfer of licensing functions has
3 been completed, "Department" means the Department of Human
4 Services in those provisions of this Act concerning the
5 licensure of day care centers, day care homes, and group day
6 care homes.

7 (Source: P.A. 76-63.)

8 (225 ILCS 10/3.7 new)

9 Sec. 3.7. Transfer of day care center and part day child
10 care facility licensing functions.

11 (a) Responsibility for the licensing of day care centers,
12 day care homes, and group day care homes under this Act is
13 transferred from the Department of Children and Family
14 Services to the Department of Human Services on the effective
15 date of this amendatory Act of the 103rd General Assembly.

16 (b) The Department of Human Services may adopt any rules
17 and emergency rules and execute any intergovernmental
18 agreements necessary to assume responsibility for the
19 licensure of day care centers, day care homes, and group day
20 care homes under this Act.