



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB0172

Introduced 1/11/2005, by Rep. Jim Watson

SYNOPSIS AS INTRODUCED:

325 ILCS 5/7.14

from Ch. 23, par. 2057.14

Amends the Abused and Neglected Child Reporting Act. Provides that identifying information in indicated reports involving the sexual abuse of a child, the death of a child, or serious physical injury to a child must be retained after the report is indicated or after the subsequent case or report is closed (instead of may be retained longer than 5 years after that time).

LRB094 04161 DRJ 34183 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning children.

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

4 Section 5. The Abused and Neglected Child Reporting Act is
5 amended by changing Section 7.14 as follows:

6 (325 ILCS 5/7.14) (from Ch. 23, par. 2057.14)

7 Sec. 7.14. All reports in the central register shall be
8 classified in one of three categories: "indicated",
9 "unfounded" or "undetermined", as the case may be. After the
10 report is classified, the person making the classification
11 shall determine whether the child named in the report is the
12 subject of an action under Article II of the Juvenile Court Act
13 of 1987. If the child is the subject of an action under Article
14 II of the Juvenile Court Act, the Department shall transmit a
15 copy of the report to the guardian ad litem appointed for the
16 child under Section 2-17 of the Juvenile Court Act. All
17 information identifying the subjects of an unfounded report
18 shall be expunged from the register forthwith, except as
19 provided in Section 7.7. Unfounded reports may only be made
20 available to the Child Protective Service Unit when
21 investigating a subsequent report of suspected abuse or
22 maltreatment involving a child named in the unfounded report;
23 and to the subject of the report, provided that the subject
24 requests the report within 60 days of being notified that the
25 report was unfounded. The Child Protective Service Unit shall
26 not indicate the subsequent report solely based upon the
27 existence of the prior unfounded report or reports.
28 Notwithstanding any other provision of law to the contrary, an
29 unfounded report shall not be admissible in any judicial or
30 administrative proceeding or action. Identifying information
31 on all other records shall be removed from the register no
32 later than 5 years after the report is indicated. However, if

1 another report is received involving the same child, his
2 sibling or offspring, or a child in the care of the persons
3 responsible for the child's welfare, or involving the same
4 alleged offender, the identifying information may be
5 maintained in the register until 5 years after the subsequent
6 case or report is closed.

7 Notwithstanding any other provision of this Section,
8 identifying information in indicated reports involving the
9 sexual abuse of a child, the death of a child, or serious
10 physical injury to a child as defined by the Department in
11 rules, must ~~may~~ be retained ~~longer than 5 years~~ after the
12 report is indicated or after the subsequent case or report is
13 closed, and may not be removed from the register except as
14 provided by the Department in rules.

15 (Source: P.A. 92-801, eff. 8-16-02.)