



**Filed: 3/9/2005**

09400HB1005ham001

LRB094 07209 LJB 42835 a

1 AMENDMENT TO HOUSE BILL 1005

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1005 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Board and Care Home Registration Act is  
5 amended by changing Sections 2 and 3 and by adding Sections 6  
6 and 7 as follows:

7 (225 ILCS 7/2)

8 Sec. 2. Definitions. In this Act:

9 "Board and care homes" or "facility" means a publicly or  
10 privately operated residence that has fewer than 12 adults who  
11 are unrelated to the resident manager.

12 "Department" means the Department of Public Health  
13 ~~Department on Aging~~.

14 (Source: P.A. 89-387, eff. 8-20-95.)

15 (225 ILCS 7/3)

16 Sec. 3. Registration.

17 (a) Every board and care home located in this State shall  
18 register with the Department. Registration shall be in the form  
19 prescribed by the Department and shall include the following:

20 (1) The name, address, and telephone number of the  
21 facility.

22 (2) The name, address, and telephone number of the  
23 owner of the facility.

1 (3) The number of residents of the facility.

2 (4) A registration fee, as determined, by the  
3 Department.

4 (b) Every registration issued under this Act shall be valid  
5 for 2 years. Upon renewal, the facility must re-apply and meet  
6 the registration requirements under this Section.

7 (c) The Department shall promulgate rules to protect the  
8 rights and safety of the residents and to enforce the  
9 provisions of this Act.

10 (d) No public official, agent, or employee may place any  
11 person in, or recommend that any person be placed in, or  
12 directly or indirectly cause any person to be placed in any  
13 board and care home that is not registered.

14 (e) No public official, agent, or employee may place the  
15 name of an unregistered establishment that is required to be  
16 registered under this Act on a list of programs.

17 (f) Failure of a board and care home to comply with the  
18 provisions of this Section is punishable by a fine of up to  
19 \$1,000.

20 (g) Failure of a board and care home to comply with the  
21 provisions of this Section within 90 days after the initial  
22 finding of noncompliance is punishable by a fine of \$1,000 on  
23 each day the provisions of this Section are not complied with.

24 (Source: P.A. 89-387, eff. 8-20-95.)

25 (225 ILCS 7/6 new)

26 Sec. 6. Transfer of authority. The authority granted to the  
27 Department on Aging by this Act is hereby transferred to the  
28 Department of Public Health by this amendatory Act of the 94th  
29 General Assembly. For the purposes of Section 9b of the State  
30 Finance Act, the Department of Public Health is the successor  
31 to the Department on Aging with respect to all matters under  
32 this Act. The Department on Aging shall forthwith transfer all  
33 property and records relating to matters under this Act to the

1 Department of Public Health.

2 (225 ILCS 7/7 new)

3 Sec. 7. Assisted Living and Shared Housing Regulatory Fund.

4 All registration fees and fines collected pursuant to the  
5 provisions of this Act shall be deposited into the Assisted  
6 Living and Shared Housing Regulatory Fund. Subject to  
7 appropriation, moneys deposited into the Fund shall be used for  
8 the administration of this Act and the Assisted Living and  
9 Shared Housing Act.

10 Section 10. The Assisted Living and Shared Housing Act is  
11 amended by changing Section 160 as follows:

12 (210 ILCS 9/160)

13 Sec. 160. Assisted Living and Shared Housing Regulatory  
14 Fund. There is created in the State treasury a special fund to  
15 be known as the Assisted Living and Shared Housing Regulatory  
16 Fund. All moneys received by the Department under this Act and  
17 the Board and Care Home Registration Act shall be deposited  
18 into the Fund. Subject to appropriation, moneys in the Fund  
19 shall be used for the administration of this Act and the Board  
20 and Care Home Registration Act. Interest earned on moneys in  
21 the Fund shall be deposited into the Fund.

22 (Source: P.A. 91-656, eff. 1-1-01.)".