

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 Children and Family Services Act is amended  
5 by changing Section 5c as follows:

6 (20 ILCS 505/5c)

7 Sec. 5c. Direct child welfare service employee license.

8 (a) By January 1, 2000, the Department, in consultation  
9 with private child welfare agencies, shall develop and  
10 implement a direct child welfare service employee license. By  
11 January 1, 2001 all child protective investigators and  
12 supervisors and child welfare specialists and supervisors  
13 employed by the Department or its contractors shall be required  
14 to demonstrate sufficient knowledge and skills to obtain and  
15 maintain the license. The Direct Child Welfare Service Employee  
16 License Board of the Department shall have the authority to  
17 revoke or suspend the license of anyone who after a hearing is  
18 found to be guilty of misfeasance. The Department shall  
19 promulgate such rules as necessary to implement this Section.

20 (b) If a direct child welfare service employee licensee is  
21 expected to transport a child or children with a motor vehicle  
22 in the course of performing his or her duties, the Department  
23 must verify that the licensee meets the requirements set forth  
24 in Section 5.1 of the Child Care Act of 1969. The Department  
25 must make that verification as to each such licensee every 2  
26 years. Upon the Department's request, the Secretary of State  
27 shall provide the Department with the information necessary to  
28 enable the Department to make the verifications required under  
29 this subsection. If the Department discovers that a direct  
30 child welfare service employee licensee has engaged in  
31 transporting a child or children with a motor vehicle without  
32 having a valid driver's license, the Department shall

1 immediately revoke the individual's direct child welfare  
2 service employee license.

3 (c) On or before January 1, 2000, and every year  
4 thereafter, the Department shall submit an annual report to the  
5 General Assembly on the implementation of this Section.

6 (Source: P.A. 92-471, eff. 8-22-01.)

7 Section 10. The Child Care Act of 1969 is amended by  
8 changing Section 5.1 as follows:

9 (225 ILCS 10/5.1) (from Ch. 23, par. 2215.1)

10 Sec. 5.1. (a) The Department shall ensure ~~assure~~ that no  
11 day care center, group home or child care institution as  
12 defined in this Act shall on a regular basis transport a child  
13 or children with any motor vehicle unless such vehicle is  
14 operated by a person who ~~that~~ complies with the following  
15 requirements:

16 1. is 21 years of age or older;

17 2. currently holds a valid driver's license, which has  
18 not been revoked or suspended for one or more traffic  
19 violations during the 3 years immediately prior to the date  
20 of application;

21 3. demonstrates physical fitness to operate vehicles  
22 by submitting the results of a medical examination  
23 conducted by a licensed physician;

24 4. has not been convicted of more than 2 offenses  
25 against traffic regulations governing the movement of  
26 vehicles within a twelve month period;

27 5. has not been convicted of reckless driving or  
28 driving under the influence or manslaughter or reckless  
29 homicide resulting from the operation of a motor vehicle  
30 within the past 3 years;

31 6. has signed and submitted a written statement  
32 certifying that he has not, through the unlawful operation  
33 of a motor vehicle, caused an accident which resulted in  
34 the death of any person within the 5 years immediately

1 prior to the date of application.

2 However, such day care centers, group homes and child care  
3 institutions may provide for transportation of a child or  
4 children for special outings, functions or purposes that are  
5 not scheduled on a regular basis without verification that  
6 drivers for such purposes meet the requirements of this  
7 Section.

8 (a-5) As a means of ensuring compliance with the  
9 requirements set forth in subsection (a), the Department shall  
10 implement appropriate measures to verify that every individual  
11 who is employed at a group home or child care institution meets  
12 those requirements.

13 For every individual employed at a group home or child care  
14 institution who regularly transports children in the course of  
15 performing his or her duties, the Department must make the  
16 verification every 2 years. Upon the Department's request, the  
17 Secretary of State shall provide the Department with the  
18 information necessary to enable the Department to make the  
19 verifications required under subsection (a).

20 In the case of an individual employed at a group home or  
21 child care institution who becomes subject to subsection (a)  
22 for the first time after the effective date of this amendatory  
23 Act of the 94th General Assembly, the Department must make that  
24 verification with the Secretary of State before the individual  
25 operates a motor vehicle to transport a child or children under  
26 the circumstances described in subsection (a).

27 In the case of an individual employed at a group home or  
28 child care institution who is subject to subsection (a) on the  
29 effective date of this amendatory Act of the 94th General  
30 Assembly, the Department must make that verification with the  
31 Secretary of State within 30 days after that effective date.

32 If the Department discovers that an individual fails to  
33 meet the requirements set forth in subsection (a), the  
34 Department shall promptly notify the appropriate group home or  
35 child care institution.

36 (b) Any individual who holds a valid Illinois school bus

1 driver permit issued by the Secretary of State pursuant to The  
2 Illinois Vehicle Code, and who is currently employed by a  
3 school district or parochial school, or by a contractor with a  
4 school district or parochial school, to drive a school bus  
5 transporting children to and from school, shall be deemed in  
6 compliance with the requirements of subsection (a).

7 (c) The Department may, pursuant to Section 8 of this Act,  
8 revoke the license of any day care center, group home or child  
9 care institution that fails to meet the requirements of this  
10 Section.

11 (d) A group home or child care institution that fails to  
12 meet the requirements of this Section is guilty of a petty  
13 offense and is subject to a fine of not more than \$1,000. Each  
14 day that a group home or child care institution fails to meet  
15 the requirements of this Section is a separate offense.

16 (Source: P.A. 88-612, eff. 7-1-95.)