



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB0250

Introduced 1/19/2007, by Rep. Jack D. Franks

SYNOPSIS AS INTRODUCED:

325 ILCS 50/5

from Ch. 23, par. 2285

Amends the Missing Children Records Act. Provides that a particular public or private preschool educational program, public or private child care facility, or day care home or group day care home in which a child is enrolled for the first time shall notify in writing the person enrolling the child that within 30 days he must provide either (i) a certified copy of the child's birth certificate or (ii) other reliable proof, as determined by the Department of State Police, of the child's identity and age and an affidavit explaining the inability to produce a copy of the birth certificate. Provides that a preschool educational program, child care facility, or day care home or group day care home must take other actions in relation to children's records.

LRB095 03743 DRJ 23772 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 Missing Children Records Act is amended by
5 changing Section 5 as follows:

6 (325 ILCS 50/5) (from Ch. 23, par. 2285)

7 Sec. 5. Duties of school or other entity ~~School duties~~.

8 (a) Upon notification by the Department of a person's
9 disappearance, a school, preschool educational program, child
10 care facility, or day care home or group day care home in which
11 the person is currently or was previously enrolled shall flag
12 the record of that person in such a manner that whenever a copy
13 of or information regarding the record is requested, the school
14 or other entity shall be alerted to the fact that the record is
15 that of a missing person. The school or other entity shall
16 immediately report to the Department any request concerning
17 flagged records or knowledge as to the whereabouts of any
18 missing person. Upon notification by the Department that the
19 missing person has been recovered, the school or other entity
20 shall remove the flag from the person's record.

21 (b) (1) Upon enrollment of a child ~~student~~ for the first
22 time in a particular elementary or secondary school, public or
23 private preschool educational program, public or private child

1 care facility licensed under the Child Care Act of 1969, or day
2 care home or group day care home licensed under the Child Care
3 Act of 1969, that school or other entity shall notify in
4 writing the person enrolling the child ~~student~~ that within 30
5 days he must provide either (i) a certified copy of the child's
6 ~~student's~~ birth certificate or (ii) other reliable proof, as
7 determined by the Department, of the child's ~~student's~~ identity
8 and age and an affidavit explaining the inability to produce a
9 copy of the birth certificate. Other reliable proof of the
10 child's ~~student's~~ identity and age shall include a passport,
11 visa or other governmental documentation of the child's
12 identity.

13 (2) Upon the failure of a person enrolling a child ~~student~~
14 to comply with subsection (b) (1), the school or other entity
15 shall immediately notify the Department or local law
16 enforcement agency of such failure, and shall notify the person
17 enrolling the child ~~student~~ in writing that he has 10
18 additional days to comply.

19 (3) The school or other entity shall immediately report to
20 the Department any affidavit received pursuant to this
21 subsection which appears inaccurate or suspicious in form or
22 content.

23 (c) Within 14 days after enrolling a transfer student, the
24 elementary or secondary school shall request directly from the
25 student's previous school a certified copy of his record. The
26 requesting school shall exercise due diligence in obtaining the

1 copy of the record requested. Any elementary or secondary
2 school requested to forward a copy of a transferring student's
3 record to the new school shall comply within 10 days of receipt
4 of the request unless the record has been flagged pursuant to
5 subsection (a), in which case the copy shall not be forwarded
6 and the requested school shall notify the Department or local
7 law enforcement authority of the request.

8 (Source: P.A. 84-1430.)