



Rep. Annazette Collins

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09500HB1050ham001

LRB095 07143 RLC 34584 a

1 AMENDMENT TO HOUSE BILL 1050

2 AMENDMENT NO. _____. Amend House Bill 1050 on page 1, by
3 inserting immediately below line 3 the following:

4 "Section 3. The Children and Family Services Act is amended
5 by changing Section 17a-5 as follows:

6 (20 ILCS 505/17a-5) (from Ch. 23, par. 5017a-5)

7 Sec. 17a-5. The Department of Human Services shall be
8 successor to the Department of Children and Family Services in
9 the latter Department's capacity as successor to the Illinois
10 Law Enforcement Commission in the functions of that Commission
11 relating to juvenile justice and the federal Juvenile Justice
12 and Delinquency Prevention Act of 1974 as amended, and shall
13 have the powers, duties and functions specified in this Section
14 relating to juvenile justice and the federal Juvenile Justice
15 and Delinquency Prevention Act of 1974, as amended.

16 (1) Definitions. As used in this Section:

1 (a) "juvenile justice system" means all activities by
2 public or private agencies or persons pertaining to the
3 handling of youth involved or having contact with the
4 police, courts or corrections;

5 (b) "unit of general local government" means any
6 county, municipality or other general purpose political
7 subdivision of this State;

8 (c) "Commission" means the Illinois Juvenile Justice
9 Commission provided for in Section 17a-9 of this Act.

10 (2) Powers and Duties of Department. The Department of
11 Human Services shall serve as the official State Planning
12 Agency for juvenile justice for the State of Illinois and in
13 that capacity is authorized and empowered to discharge any and
14 all responsibilities imposed on such bodies by the federal
15 Juvenile Justice and Delinquency Prevention Act of 1974, as
16 amended, specifically the deinstitutionalization of status
17 offenders, separation of juveniles and adults in municipal and
18 county jails, removal of juveniles from county and municipal
19 jails and monitoring of compliance with these mandates. In
20 furtherance thereof, the Department has the powers and duties
21 set forth in paragraphs 3 through 15 of this Section:

22 (3) To develop annual comprehensive plans based on analysis
23 of juvenile crime problems and juvenile justice and delinquency
24 prevention needs in the State, for the improvement of juvenile
25 justice throughout the State, such plans to be in accordance
26 with the federal Juvenile Justice and Delinquency Prevention

1 Act of 1974, as amended;

2 (4) To define, develop and correlate programs and projects
3 relating to administration of juvenile justice for the State
4 and units of general local government within the State or for
5 combinations of such units for improvement in law enforcement:

6 (5) To advise, assist and make recommendations to the
7 Governor as to how to achieve a more efficient and effective
8 juvenile justice system;

9 (6) To act as a central repository for federal, State,
10 regional and local research studies, plans, projects, and
11 proposals relating to the improvement of the juvenile justice
12 system;

13 (7) To act as a clearing house for information relating to
14 all aspects of juvenile justice system improvement;

15 (8) To undertake research studies to aid in accomplishing
16 its purposes;

17 (9) To establish priorities for the expenditure of funds
18 made available by the United States for the improvement of the
19 juvenile justice system throughout the State;

20 (10) To apply for, receive, allocate, disburse, and account
21 for grants of funds made available by the United States
22 pursuant to the federal Juvenile Justice and Delinquency
23 Prevention Act of 1974, as amended; and such other similar
24 legislation as may be enacted from time to time in order to
25 plan, establish, operate, coordinate, and evaluate projects
26 directly or through grants and contracts with public and

1 private agencies for the development of more effective
2 education, training, research, prevention, diversion,
3 treatment and rehabilitation programs in the area of juvenile
4 delinquency and programs to improve the juvenile justice
5 system;

6 (11) To insure that no more than the maximum percentage of
7 the total annual State allotment of juvenile justice funds be
8 utilized for the administration of such funds;

9 (12) To provide at least 66-2/3 per centum of funds
10 received by the State under the Juvenile Justice and
11 Delinquency Prevention Act of 1974, as amended, are expended
12 through:

13 (a) programs of units of general local government or
14 combinations thereof, to the extent such programs are
15 consistent with the State plan; and

16 (b) programs of local private agencies, to the extent
17 such programs are consistent with the State plan;

18 (13) To enter into agreements with the United States
19 government which may be required as a condition of obtaining
20 federal funds;

21 (14) To enter into contracts and cooperate with units of
22 general local government or combinations of such units, State
23 agencies, and private organizations of all types, for the
24 purpose of carrying out the duties of the Department imposed by
25 this Section or by federal law or regulations;

26 (14.5) To operate a toll-free number to arrange for the

1 immediate pick-up and transportation of minor offenders to
2 detention facilities throughout the State pursuant to Section
3 5-410 of the Juvenile Court Act of 1987;

4 (15) To exercise all other powers that are reasonable and
5 necessary to fulfill its functions under applicable federal law
6 or to further the purposes of this Section.

7 (Source: P.A. 89-507, eff. 7-1-97.); and

8 on page 1, line 22, by inserting after "hours" the following:

9 ", except as provided in paragraph (d) of this subsection (2)";

10 and

11 on page 5, line 1, by replacing "(Blank)" with the following:

12 "Whenever it appears that a minor who is arrested pursuant to
13 paragraph (a) of this subsection (2) will need to be detained
14 for longer than 6 hours in a county jail or a municipal lockup,
15 the arresting authority shall notify the Department of Human
16 Services to arrange for the immediate pickup and transportation
17 of the arrested minor to and from a detention facility. A minor
18 may remain in the county jail or municipal lockup for as long
19 as it takes for the Department to provide for pickup and
20 transportation".