



Sen. Dave Syverson

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1 AMENDMENT TO SENATE BILL 2321

2 AMENDMENT NO. _____. Amend Senate Bill 2321 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Child Care Act of 1969 is amended by
5 changing Sections 2.09 and 3 as follows:

6 (225 ILCS 10/2.09) (from Ch. 23, par. 2212.09)

7 Sec. 2.09. "Day care center" means any child care facility
8 which regularly provides day care for less than 24 hours per
9 day for (1) more than 8 children in a family home, or (2) more
10 than 3 children in a facility other than a family home,
11 including senior citizen buildings. The term does not include
12 (a) programs operated by (i) public or private elementary
13 school systems or secondary level school units or institutions
14 of higher learning that serve children who shall have attained
15 the age of 3 years or (ii) private entities on the grounds of
16 public or private elementary or secondary schools and that

1 serve children who have attained the age of 3 years, except
2 that this exception applies only to the facility and not to the
3 private entities' personnel operating the program; (b)
4 programs or that portion of the program which serves children
5 who shall have attained the age of 3 years and which are
6 recognized by the State Board of Education; (c) educational
7 program or programs serving children who shall have attained
8 the age of 3 years and which are operated by a school which is
9 registered with the State Board of Education and which is
10 recognized or accredited by a recognized national or multistate
11 educational organization or association which regularly
12 recognizes or accredits schools; (d) programs which
13 exclusively serve or that portion of the program which serves
14 children with disabilities who shall have attained the age of 3
15 years but are less than 21 years of age and which are
16 registered and approved as meeting standards of the State Board
17 of Education and applicable fire marshal standards; (e)
18 facilities operated in connection with a shopping center or
19 service, religious services, or other similar facility, where
20 transient children are cared for temporarily while parents or
21 custodians of the children are occupied on the premises and
22 readily available; (f) any type of day care center that is
23 conducted on federal government premises; (g) special
24 activities programs, including athletics, crafts instruction
25 and similar activities conducted on an organized and periodic
26 basis by civic, charitable and governmental organizations; (h)

1 part day child care facilities, as defined in Section 2.10 of
2 this Act; ~~or~~ (i) programs or that portion of the program which
3 (1) serves children who shall have attained the age of 3 years,
4 (2) is operated by churches or religious institutions as
5 described in Section 501 (c) (3) of the federal Internal
6 Revenue Code, (3) receives no governmental aid, (4) is operated
7 as a component of a religious, nonprofit elementary school, (5)
8 operates primarily to provide religious education, and (6)
9 meets appropriate State or local health and fire safety
10 standards; or (j) programs or portions of programs that: (1)
11 serve only school-age children and youth (defined as full-time
12 kindergarten children, as defined in 89 Ill. Adm. Code 407.45,
13 or older), (2) are operated by an entity organized to promote
14 childhood learning, child and youth development, educational
15 or recreational activities, or character-building, (3) operate
16 primarily during out-of-school time or at times when school is
17 not normally in session, (4) meet any appropriate State or
18 local health and fire safety standards, (5) perform criminal
19 background checks and sexual abuse and child abuse checks on
20 all employees and volunteers who work with children, (6) have
21 standards of care adopted by the governing body of the entity
22 that, at a minimum, include staff ratios and staff training and
23 have mechanisms for assessing and enforcing the program's
24 compliance with the standards, (7) provide parents with written
25 disclosure that the operations of the program are not regulated
26 by licensing requirements, and (8) obtain records showing the

1 first and last name and date of birth of the child, name,
2 address, and telephone number of each parent, emergency contact
3 information, and written authorization for medical care.

4 Programs or portions of programs under the exemption in (j)
5 that request funding from the Child Care Assistance Program
6 (CCAP) must annually meet the eligibility requirements and be
7 appropriate for payment under the CCAP.

8 For purposes of (a), (b), (c), (d) and (i) of this Section,
9 "children who shall have attained the age of 3 years" shall
10 mean children who are 3 years of age, but less than 4 years of
11 age, at the time of enrollment in the program.

12 (Source: P.A. 99-143, eff. 7-27-15.)

13 (225 ILCS 10/3) (from Ch. 23, par. 2213)

14 Sec. 3. (a) No person, group of persons or corporation may
15 operate or conduct any facility for child care, as defined in
16 this Act, without a license or permit issued by the Department
17 or without being approved by the Department as meeting the
18 standards established for such licensing, with the exception of
19 facilities for whom standards are established by the Department
20 of Corrections under Section 3-15-2 of the Unified Code of
21 Corrections and with the exception of facilities defined in
22 Section 2.10 of this Act, and with the exception of programs or
23 facilities licensed by the Department of Human Services under
24 the Alcoholism and Other Drug Abuse and Dependency Act.

25 (b) No part day child care facility as described in Section

1 2.10 may operate without written notification to the Department
2 or without complying with Section 7.1. Notification shall
3 include a notarized statement by the facility that the facility
4 complies with state or local health standards and state fire
5 safety standards, and shall be filed with the department every
6 2 years.

7 (c) The Director of the Department shall establish policies
8 and coordinate activities relating to child care licensing,
9 licensing of day care homes and day care centers.

10 (d) Any facility or agency which is exempt from licensing
11 may apply for licensing if licensing is required for some
12 government benefit.

13 (e) A provider of day care described in items (a) through
14 (j) of Section 2.09 of this Act is exempt from licensure, and
15 the Department shall provide written verification of exemption
16 and description of compliance with standards for the health,
17 safety, and development of the children who receive the
18 services upon submission by the provider of, in addition to any
19 other documentation required by the Department, a notarized
20 statement that the facility complies with: (1) the standards of
21 the Department of Public Health or local health department, (2)
22 the fire safety standards of the State Fire Marshal, and (3) if
23 operated in a public school building, the health and safety
24 standards of the State Board of Education.

25 (Source: P.A. 88-670, eff. 12-2-94; 89-507, eff. 7-1-97.)

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.".