

AN ACT concerning regulation.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

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

(225 ILCS 7/2)

Sec. 2. Definitions. In this Act:

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

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

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

(225 ILCS 7/3)

Sec. 3. Registration.

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

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

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

(3) The number of residents of the facility.

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

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

(c) The Department shall promulgate rules to protect the rights and safety of the residents and to enforce the

provisions of this Act.

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

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

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

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

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

(225 ILCS 7/6 new)

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

(225 ILCS 7/7 new)

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

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

(210 ILCS 9/160)

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

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