

AN ACT concerning children.

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

Section 1. The State Finance Act is amended by changing Section 6a-5 as follows:

(30 ILCS 105/6a-5) (from Ch. 127, par. 142a5)

Sec. 6a-5. All moneys received by the Department of State Police in the form of donations, monetary gifts, ~~unexpended grant funds of I-SEARCH Units under Section 5 of the Intergovernmental Missing Child Recovery Act of 1984,~~ or other financial assistance from private sources or individuals for the purposes of promoting and conducting programs or activities for the prevention or recovery of missing or exploited children shall be deposited into the Missing and Exploited Children Trust Fund. The Department may use those funds for activities or purposes to assist the Department in meeting its responsibilities relating to the Intergovernmental Missing Child Recovery Act of 1984, including the enforcement of laws relating to child exploitation, the investigation and prosecution of offenders of child exploitation laws, or for any other activity or purpose that will aid in the prevention of the exploitation of children or in the recovery of missing and exploited children, as deemed necessary by the Department. All

monies expended by the Department shall be appropriated by the General Assembly.

(Source: P.A. 87-888.)

Section 3. The Abused and Neglected Child Reporting Act is amended by changing Section 4.3 as follows:

(325 ILCS 5/4.3)

Sec. 4.3. DCFS duty to report. The Department shall report the disappearance of any child under its custody or guardianship to the local law enforcement agency working in cooperation with the State Missing Persons Clearinghouse ~~± SEARCH Unit located nearest the last known whereabouts of the child.~~

(Source: P.A. 90-27, eff. 1-1-98.)

Section 5. The Intergovernmental Missing Child Recovery Act of 1984 is amended by changing Sections 2, 3, 3.5, 7, and 8 as follows:

(325 ILCS 40/2) (from Ch. 23, par. 2252)

Sec. 2. As used in this Act:

(a) "Department" means the Department of State Police.

(b) "Director" means the Director of the Department of State Police.

(c) "Unit of local government" is defined as in Article

VII, Section 1 of the Illinois Constitution and includes both home rule units and units which are not home rule units. The term is also defined to include all public school districts subject to the provisions of the School Code.

(d) "Child" means a person under 21 years of age.

(e) A "LEADS terminal" is an interactive computerized communication and processing unit which permits a direct on-line communication with the Department of State Police's central data repository, the Law Enforcement Agencies Data System (LEADS).

(f) A "primary contact agency" means a law enforcement agency which maintains a LEADS terminal, or has immediate access to one on a 24-hour-per-day, 7-day-per-week basis by written agreement with another law enforcement agency, ~~and is designated by the I SEARCH policy board to be the agency responsible for coordinating the joint efforts between the Department of State Police and the I SEARCH program participants.~~

(g) (Blank) ~~"Illinois State Enforcement Agencies to Recover Children Unit" or "I SEARCH Unit" means a combination of units of local government within a contiguous geographical area served by one or more LEADS terminals and established to collectively address the missing and exploited children problem in their respective geographical areas.~~

(h) "Missing child" means any person under 21 years of age whose whereabouts are unknown to his or her parents or legal

guardian.

(i) "Exploitation" means activities and actions which include, but are not limited to, child pornography, aggravated child pornography, child prostitution, child sexual abuse, drug and substance abuse by children, and child suicide.

(j) (Blank) ~~"Participating agency" means a law enforcement agency that does not receive State funding, but signs an agreement of intergovernmental cooperation with the Department to perform the duties of an I SEARCH Unit.~~

(Source: P.A. 96-1551, eff. 7-1-11.)

(325 ILCS 40/3) (from Ch. 23, par. 2253)

Sec. 3. The Department shall establish a State Missing Persons Clearinghouse as a resource ~~Each I SEARCH unit shall be established~~ to promote an immediate and effective community response to missing children and may engage in, but shall not be limited to, the following activities:

(a) To establish and conduct programs to educate parents, children and communities in ways to prevent the abduction of children.

(b) To conduct training programs and distribute materials providing guidelines for children when dealing with strangers, casual acquaintances, or non-custodial parents, in order to avoid abduction or kidnapping situations.

(c) To compile, maintain and make available data upon the request of law enforcement agencies and other entities deemed

appropriate by the Department to assist enforcement agencies in recovering missing children, including but not limited to data regarding the places of shelter commonly used by runaway children in a requested geographical area ~~the geographical area encompassed by the I-SEARCH Unit.~~

(d) To draft and implement plans for the most efficient use of available resources to publicize information regarding ~~and conduct searches for~~ missing children.

(e) To establish and maintain contacts with other state missing persons clearinghouses ~~I-SEARCH Units~~, law enforcement agencies, and missing persons non-profit organizations ~~the Department~~ in order to increase the probability of locating and returning missing children, and to otherwise assist in the recovery and tracking of missing children.

(f) To coordinate the tracking and recovery of children under the custody or guardianship of the Department of Children and Family Services whose disappearance has been reported and to produce an annual report indicating the number of children under the custody or guardianship of that Department who have been reported missing and the number who have been recovered.

(g) To conduct other activities as may be necessary to achieve the goals established by this Act.

(Source: P.A. 90-27, eff. 1-1-98.)

(325 ILCS 40/3.5)

Sec. 3.5. Contact with Department of Children and Family

Services. For each child reported missing and entered into the LEADS network ~~as part of the I SEARCH program~~, the Department shall, in the form and manner it determines, contact the Department of Children and Family Services to provide it with the name, age, and sex of the child, and the geographic area from which the child was reported missing so that the Department of Children and Family Services can determine if that child had been abandoned within the previous 2 months.

(Source: P.A. 89-213, eff. 1-1-96.)

(325 ILCS 40/7) (from Ch. 23, par. 2257)

Sec. 7. (a) All law enforcement agencies and policing bodies of this State shall, upon receipt of a report of a missing person, enter that report into LEADS as soon as the minimum level of data specified pursuant to subsection (e) of Section 6 is available and shall furnish the Department, in the form and detail the Department requires, (1) reports of cases of lost, missing or runaway children as they arise and the disposition of such cases, (2) information relating to sex crimes which occurred in their respective jurisdictions and which they investigated, and (3) the names and addresses of sex offenders required to register in their respective jurisdictions under the Sex Offender Registration Act. Such information shall be submitted on a regular basis, as deemed necessary by the Department, and shall be kept in a central automated data repository for the purpose of establishing

profiles of sex offenders and victims and to assist all law enforcement agencies in the identification and apprehension of sex offenders.

(b) In addition to entering the report of a missing child into LEADS as prescribed by subsection (a), all law enforcement agencies shall, upon receipt of a report of a missing child:

(1) Immediately make a radio dispatch to officers on duty at the time of receipt of the report. The dispatch shall contain the name and approximate age of the missing child and any other pertinent information available at that time. In the event that the law enforcement agency receiving the report of the missing child does not operate a radio dispatch system, a geographically appropriate radio dispatch system shall be used, such as the Illinois State Police Emergency Radio Network or a similar multi-agency law enforcement radio communication system serving the area of the reporting agency.

In addition, in the event that a missing child is not recovered during the work shift in which the radio dispatch was made, the law enforcement agency receiving the report of the missing child shall disseminate the information relating to the missing child to all sworn personnel employed by the agency who work or are assigned to other shifts or time periods.

(2) Immediately contact State Missing Persons Clearinghouse ~~SEARCH program~~ personnel designated by the

Department, by a means and in a manner and form prescribed by the Department, informing the personnel of the report of the missing child.

(Source: P.A. 89-8, eff. 1-1-96.)

(325 ILCS 40/8) (from Ch. 23, par. 2258)

Sec. 8. The Director shall report by June 30 ~~December 31~~ of each year to the Governor and the General Assembly on the operations of the State Missing Persons Clearinghouse ~~statewide I SEARCH program including a breakdown of the appropriation for the previous calendar year fiscal year indicating the amount of the State grant each I SEARCH unit received.~~

(Source: P.A. 85-214.)

(325 ILCS 40/4 rep.)

(325 ILCS 40/5 rep.)

Section 10. The Intergovernmental Missing Child Recovery Act of 1984 is amended by repealing Sections 4 and 5.

Section 99. Effective date. This Act takes effect January 1, 2013.



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Statutes amended in order of appearance

30 ILCS 105/6a-5	from Ch. 127, par. 142a5
325 ILCS 5/4.3	
325 ILCS 40/2	from Ch. 23, par. 2252
325 ILCS 40/3	from Ch. 23, par. 2253
325 ILCS 40/3.5	
325 ILCS 40/7	from Ch. 23, par. 2257
325 ILCS 40/8	from Ch. 23, par. 2258
325 ILCS 40/4 rep.	
325 ILCS 40/5 rep.	