



Rep. Sara Feigenholtz

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1 AMENDMENT TO SENATE BILL 646

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 646 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 Section 12 as follows:

6 (225 ILCS 10/12) (from Ch. 23, par. 2222)

7 Sec. 12. Advertisements.

8 (a) In this Section, "advertise" means communication by any  
9 public medium originating or distributed in this State,  
10 including, but not limited to, newspapers, periodicals,  
11 telephone book listings, outdoor advertising signs, radio, or  
12 television.

13 (b) A child care facility or child welfare agency licensed  
14 or operating under a permit issued by the Department may  
15 publish advertisements for the services that the facility is  
16 specifically licensed or issued a permit under this Act to

1 provide. A person, group of persons, agency, association,  
2 organization, corporation, institution, center, or group who  
3 advertises or causes to be published any advertisement  
4 offering, soliciting, or promising to perform adoption  
5 services as defined in Section 2.24 of this Act is guilty of a  
6 Class A misdemeanor and shall be subject to a fine not to  
7 exceed \$10,000 or 9 months imprisonment for each advertisement,  
8 unless that person, group of persons, agency, association,  
9 organization, corporation, institution, center, or group is  
10 (i) licensed or operating under a permit issued by the  
11 Department as a child care facility or child welfare agency,  
12 (ii) a biological parent or a prospective adoptive parent  
13 acting on his or her own behalf, or (iii) a licensed attorney  
14 advertising his or her availability to provide legal services  
15 relating to adoption, as permitted by law.

16 (c) Every advertisement published after the effective date  
17 of this amendatory Act of the 94th General Assembly shall  
18 include the Department-issued license number of the facility or  
19 agency.

20 (d) Any licensed child welfare agency providing adoption  
21 services that, after the effective date of this amendatory Act  
22 of the 94th General Assembly, causes to be published an  
23 advertisement containing reckless or intentional  
24 misrepresentations concerning adoption services or  
25 circumstances material to the placement of a child for adoption  
26 is guilty of a Class A misdemeanor and is subject to a fine not

1 to exceed \$10,000 or 9 months imprisonment for each  
2 advertisement.

3 (e) An out-of-state agency that is not licensed in Illinois  
4 and that has a written interagency agreement with one or more  
5 Illinois licensed child welfare agencies may advertise under  
6 this Section, provided that (i) the out-of-state agency must be  
7 officially recognized by the United States Internal Revenue  
8 Service as a tax-exempt organization under 501(c)(3) of the  
9 Internal Revenue Code of 1986 (or any successor provision of  
10 federal tax law), (ii) the out-of-state agency provides only  
11 international adoption services and is covered by the  
12 Intercountry Adoption Act of 2000, (iii) the out-of-state  
13 agency displays, in the advertisement, the license number of at  
14 least one of the Illinois licensed child welfare agencies with  
15 which it has a written agreement, and (iv) the advertisements  
16 pertain only to international adoption services. Subsection  
17 (d) of this Section shall apply to any out-of-state agencies  
18 described in this subsection (e).

19 (f) An advertiser, publisher, or broadcaster, including,  
20 but not limited to, newspapers, periodicals, telephone book  
21 publishers, outdoor advertising signs, radio stations, or  
22 television stations, who knowingly or recklessly advertises or  
23 publishes any advertisement offering, soliciting, or promising  
24 to perform adoption services, as defined in Section 2.24 of  
25 this Act, on behalf of a person, group of persons, agency,  
26 association, organization, corporation, institution, center,

1 or group, not authorized to advertise under subsection (b) or  
2 subsection (e) of this Section, is guilty of a Class A  
3 misdemeanor and is subject to a fine not to exceed \$10,000 or 9  
4 months imprisonment for each advertisement.

5 (g) The Department shall maintain a website listing child  
6 welfare agencies licensed by the Department that provide  
7 adoption services and other general information for biological  
8 parents and adoptive parents. The website shall include, but  
9 not be limited to, agency addresses, phone numbers, e-mail  
10 addresses, website addresses, annual reports as referenced in  
11 Section 7.6 of this Act, agency license numbers, the Birth  
12 Parent Bill of Rights, the Adoptive Parents Bill of Rights, and  
13 the Department's complaint registry established under Section  
14 9.1a of this Act. The Department shall adopt any rules  
15 necessary to implement this Section.

16 (h) Nothing in this Act shall prohibit a day care agency,  
17 day care center, day care home, or group day care home that  
18 does not provide or perform adoption services, as defined in  
19 Section 2.24 of this Act, from advertising or marketing the day  
20 care agency, day care center, day care home, or group day care  
21 home.

22 (Source: P.A. 94-586, eff. 8-15-05.)

23 Section 10. The Abused and Neglected Child Reporting Act is  
24 amended by adding Section 7.4a as follows:

1 (325 ILCS 5/7.4a new)

2 Sec. 7.4a. Domestic violence co-location program.

3 (a) As used in this Section:

4 "Domestic violence co-location program" means a program,  
5 administered in partnership with a co-location program  
6 management entity, where domestic violence advocates who are  
7 trained in domestic violence services and employed through a  
8 domestic violence provider are assigned to work in a field  
9 office of the Department of Children and Family Services  
10 alongside and in collaboration with child welfare  
11 investigators and caseworkers working with families where  
12 there are indicators of domestic violence.

13 "Domestic violence" has the meaning ascribed to it in the  
14 Illinois Domestic Violence Act of 1986.

15 "Co-location program management entity" means the  
16 organization that partners with the Department to administer  
17 the domestic violence co-location program.

18 (b) Subject to appropriations or the availability of other  
19 funds for this purpose, the Department may implement a 5-year  
20 pilot program of a domestic violence co-location program. The  
21 domestic violence co-location program shall be designed to  
22 improve child welfare interventions provided to families  
23 experiencing domestic violence in part by enhancing the safety  
24 and stability of children, reducing the number of children  
25 removed from their parents, and improving outcomes for children  
26 within their families through a strength-based and

1 trauma-informed collaborative support program. The pilot  
2 program shall occur in no fewer than 3 Department offices.  
3 Additional sites may be added during the pilot program, and the  
4 pilot program may be expanded and converted into a permanent  
5 statewide program.

6 (c) The Department shall adopt rules and procedures and  
7 shall develop and facilitate training for the effective  
8 implementation of the domestic violence co-location program.  
9 The Department shall adopt rules on the qualification  
10 requirements for domestic violence advocates participating in  
11 the pilot program.

12 (d) The Department shall track, collect, report on, and  
13 share data about domestic violence-affected families,  
14 including, but not limited to, data related to hotline calls,  
15 investigations, protective custody, cases referred to the  
16 juvenile court, and outcomes of the domestic violence  
17 co-location program.

18 (e) The Department may arrange for an independent,  
19 evidence-based evaluation of the domestic violence co-location  
20 program authorized and implemented under this Section to  
21 determine whether it is meeting its goals. The independent  
22 evidence-based evaluation may include, but is not limited to,  
23 data regarding: (i) the number of children removed from their  
24 parents; (ii) the number of children who remain with the  
25 non-offending parent; (iii) the number of indicated and  
26 unfounded investigative findings and corresponding allegations

1 of maltreatment for the non-offending parent and domestic  
2 violence perpetrator; (iv) the number of referrals to the  
3 co-located domestic violence advocates; (v) the number of  
4 referrals for services; and (vi) the number of months that  
5 children remained in foster care whose cases involved the  
6 co-located domestic violence advocate.

7 (f) Following the expiration of the 5-year pilot program or  
8 prior to the expiration of the pilot program, if there is  
9 evidence that the pilot program is effective, the domestic  
10 violence co-location program may expand into each county,  
11 investigative office of the Department of Children and Family  
12 Services, or purchase of service or other contracted private  
13 agency delivering intact family or foster care services in  
14 Illinois.

15 (g) Nothing in this Section shall be construed to breach  
16 the confidentiality protections provided under State law to  
17 domestic violence professionals, including co-located domestic  
18 violence advocates, in the provision of services to domestic  
19 violence victims as employees of domestic violence agencies or  
20 to any individual who receives services from domestic violence  
21 agencies."