



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB3969

Introduced 1/8/2020, by Rep. Sue Scherer and Stephanie A. Kifowit

SYNOPSIS AS INTRODUCED:

20 ILCS 505/4e new

Amends the Children and Family Services Act. Provides that notwithstanding any other law or rule to the contrary, no child under the care or custody of the Department of Children and Family Services shall be subjected to mechanical restraints during the provision of any transportation services provided or arranged by the Department, unless required by court order. Provides that nothing under the amendatory Act shall be construed to apply to the Department's policy on medical restraints. Effective immediately.

LRB101 15387 KTG 64652 b

1 AN ACT concerning State government.

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

4 Section 5. The Children and Family Services Act is amended
5 by adding Section 4e as follows:

6 (20 ILCS 505/4e new)

7 Sec. 4e. Mechanical restraints; prohibition.

8 Notwithstanding any other law or rule to the contrary, no child
9 under the care or custody of the Department shall be subjected
10 to mechanical restraints during the provision of any
11 transportation services provided or arranged by the
12 Department, unless required by court order. Nothing in this
13 Section shall be construed to apply to the Department's policy
14 on medical restraints. As used in this Section, "mechanical
15 restraint" and "medical restraint" have the same meaning
16 ascribed to those terms in 89 Ill. Adm. Code 384.20.

17 Section 99. Effective date. This Act takes effect upon
18 becoming law.