



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

HB4037

by Rep. Pamela Reaves-Harris

#### SYNOPSIS AS INTRODUCED:

225 ILCS 10/11.2

from Ch. 23, par. 2221.2

Amends the Child Care Act of 1969. Provides that the Department of Children and Family Services shall order for immediate closure of a child care facility whenever the Department expressly finds that the continued operation of a child care facility jeopardizes the health, safety, morals, or welfare of children served by the facility or upon the death of a minor while under the care of the facility, unless the death was medically anticipated or the Department determines that the facility did not violate any rule related to the death. Provides that upon closure, the facility shall immediately notify the parent or guardian of each child enrolled in the program. Requires the Department to immediately investigate the circumstances of the minor's death or the circumstances where a child's health, safety, morals, or welfare are in jeopardy and, if the Department determines that the facility fails to meet any requirements of the Act, the Department shall immediately revoke the facility's license.

LRB099 07309 HAF 27417 b

1 AN ACT concerning regulation.

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

4 Section 5. The Child Care Act of 1969 is amended by  
5 changing Section 11.2 as follows:

6 (225 ILCS 10/11.2) (from Ch. 23, par. 2221.2)

7 Sec. 11.2. The Department shall issue an order of closure  
8 directing that the operation of a child care facility or  
9 unlicensed facility terminate immediately, and, if applicable,  
10 shall initiate revocation proceedings under Section 9 within 10  
11 working days:

12 (1) whenever ~~Whenever~~ the Department expressly finds that  
13 the continued operation of a child care facility, including  
14 such facilities defined in Section 2.10 and unlicensed  
15 facilities, jeopardizes the health, safety, morals, or welfare  
16 of children served by the facility; or

17 (2) upon the death of a minor while under the care of the  
18 facility, unless the death was medically anticipated or the  
19 Department determines that the facility did not violate any  
20 rule related to the death. ~~, the Department shall issue an~~  
21 ~~order of closure directing that the operation of the facility~~  
22 ~~terminate immediately, and, if applicable, shall initiate~~  
23 ~~revocation proceedings under Section 9 within ten working days.~~

1       Upon closure, the facility shall immediately notify the  
2 parent or guardian of each child enrolled in the program. Upon  
3 closure, the Department shall immediately investigate the  
4 circumstances of the minor's death or the circumstances in  
5 which a child's health, safety, morals, or welfare were in  
6 jeopardy. If the Department determines that the facility fails  
7 to meet any requirements of this Act, the Department shall  
8 immediately revoke the facility's license.

9       A facility closed under this Section may not operate during  
10 the pendency of any investigation or proceeding for the  
11 judicial review of the decision of the Department to issue an  
12 order of closure or to revoke or refuse to renew the license,  
13 except under court order.

14       (Source: P.A. 85-216.)