

# SB2321



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

SB2321

Introduced 1/27/2016, by Sen. Dave Syverson

#### SYNOPSIS AS INTRODUCED:

225 ILCS 10/2.09

from Ch. 23, par. 2212.09

Amends the Child Care Act of 1969. Provides that, for the purposes of defining "day care center", "special activities programs" includes programs or portions of programs that: (1) serve school-age children only; (2) are operated by an entity that is a local affiliate of a national organization and a non-profit as described in Section 501(c)(3) of the federal Internal Revenue Code of 1986; and (3) meet appropriate State or local health and fire safety standards and those of its associated national entity, including performing background checks on employees. Effective immediately.

LRB099 15718 MLM 40017 b

A BILL FOR

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 2.09 as follows:

6 (225 ILCS 10/2.09) (from Ch. 23, par. 2212.09)

7 Sec. 2.09. "Day care center" means any child care facility  
8 which regularly provides day care for less than 24 hours per  
9 day for (1) more than 8 children in a family home, or (2) more  
10 than 3 children in a facility other than a family home,  
11 including senior citizen buildings. The term does not include  
12 (a) programs operated by (i) public or private elementary  
13 school systems or secondary level school units or institutions  
14 of higher learning that serve children who shall have attained  
15 the age of 3 years or (ii) private entities on the grounds of  
16 public or private elementary or secondary schools and that  
17 serve children who have attained the age of 3 years, except  
18 that this exception applies only to the facility and not to the  
19 private entities' personnel operating the program; (b)  
20 programs or that portion of the program which serves children  
21 who shall have attained the age of 3 years and which are  
22 recognized by the State Board of Education; (c) educational  
23 program or programs serving children who shall have attained

1 the age of 3 years and which are operated by a school which is  
2 registered with the State Board of Education and which is  
3 recognized or accredited by a recognized national or multistate  
4 educational organization or association which regularly  
5 recognizes or accredits schools; (d) programs which  
6 exclusively serve or that portion of the program which serves  
7 children with disabilities who shall have attained the age of 3  
8 years but are less than 21 years of age and which are  
9 registered and approved as meeting standards of the State Board  
10 of Education and applicable fire marshal standards; (e)  
11 facilities operated in connection with a shopping center or  
12 service, religious services, or other similar facility, where  
13 transient children are cared for temporarily while parents or  
14 custodians of the children are occupied on the premises and  
15 readily available; (f) any type of day care center that is  
16 conducted on federal government premises; (g) special  
17 activities programs, including athletics, crafts instruction  
18 and similar activities conducted on an organized and periodic  
19 basis by civic, charitable and governmental organizations; (h)  
20 part day child care facilities, as defined in Section 2.10 of  
21 this Act; or (i) programs or that portion of the program which  
22 (1) serves children who shall have attained the age of 3 years,  
23 (2) is operated by churches or religious institutions as  
24 described in Section 501 (c) (3) of the federal Internal  
25 Revenue Code, (3) receives no governmental aid, (4) is operated  
26 as a component of a religious, nonprofit elementary school, (5)

1 operates primarily to provide religious education, and (6)  
2 meets appropriate State or local health and fire safety  
3 standards.

4 For purposes of (a), (b), (c), (d) and (i) of this Section,  
5 "children who shall have attained the age of 3 years" shall  
6 mean children who are 3 years of age, but less than 4 years of  
7 age, at the time of enrollment in the program.

8 For purposes of (g) of this Section, "special activities  
9 programs" includes programs or portions of programs that: (1)  
10 serve school-age children only; (2) are operated by an entity  
11 that is a local affiliate of a national organization and a  
12 non-profit as described in Section 501(c)(3) of the federal  
13 Internal Revenue Code of 1986; and (3) meet appropriate State  
14 or local health and fire safety standards and those of its  
15 associated national entity, including performing background  
16 checks on employees. Organizations within this exemption must  
17 retain child care assistance eligibility.

18 (Source: P.A. 99-143, eff. 7-27-15.)

19 Section 99. Effective date. This Act takes effect upon  
20 becoming law.