

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 Sections 4.1 and 7.10 as follows:

6 (225 ILCS 10/4.1) (from Ch. 23, par. 2214.1)

7 (Text of Section before amendment by P.A. 103-594)

8 Sec. 4.1. Criminal background investigations. The
9 Department shall require that each child care facility license
10 applicant as part of the application process, and each
11 employee and volunteer of a child care facility or
12 non-licensed service provider, as a condition of employment,
13 authorize an investigation to determine if such applicant,
14 employee, or volunteer has ever been charged with a crime and
15 if so, the disposition of those charges; this authorization
16 shall indicate the scope of the inquiry and the agencies which
17 may be contacted. An employee or volunteer of a day care
18 center, day care home, or group day care home shall authorize
19 an investigation every 5 years, as required under the Child
20 Care and Development Block Grant. Upon this authorization, the
21 Director shall request and receive information and assistance
22 from any federal, State or local governmental agency as part
23 of the authorized investigation. Each applicant, employee, or

1 volunteer of a child care facility or non-licensed service
2 provider shall submit the applicant's, employee's, or
3 volunteer's fingerprints to the Illinois State Police in the
4 form and manner prescribed by the Illinois State Police. These
5 fingerprints shall be checked against the fingerprint records
6 now and hereafter filed in the Illinois State Police and
7 Federal Bureau of Investigation criminal history records
8 databases. The Illinois State Police shall charge a fee for
9 conducting the criminal history records check, which shall be
10 deposited in the State Police Services Fund and shall not
11 exceed the actual cost of the records check. The Illinois
12 State Police shall provide information concerning any criminal
13 charges, and their disposition, now or hereafter filed,
14 against an applicant, employee, or volunteer of a child care
15 facility or non-licensed service provider upon request of the
16 Department of Children and Family Services when the request is
17 made in the form and manner required by the Illinois State
18 Police.

19 Information concerning convictions of a license applicant,
20 employee, or volunteer of a child care facility or
21 non-licensed service provider investigated under this Section,
22 including the source of the information and any conclusions or
23 recommendations derived from the information, shall be
24 provided, upon request, to such applicant, employee, or
25 volunteer of a child care facility or non-licensed service
26 provider prior to final action by the Department on the

1 application. State conviction information provided by the
2 Illinois State Police regarding employees, prospective
3 employees, or volunteers of non-licensed service providers and
4 child care facilities licensed under this Act shall be
5 provided to the operator of such facility, and, upon request,
6 to the employee, prospective employee, or volunteer of a child
7 care facility or non-licensed service provider. Any
8 information concerning criminal charges and the disposition of
9 such charges obtained by the Department shall be confidential
10 and may not be transmitted outside the Department, except as
11 required herein, and may not be transmitted to anyone within
12 the Department except as needed for the purpose of evaluating
13 an application or an employee or volunteer of a child care
14 facility or non-licensed service provider. Only information
15 and standards which bear a reasonable and rational relation to
16 the performance of a child care facility shall be used by the
17 Department or any licensee. Any employee of the Department of
18 Children and Family Services, Illinois State Police, or a
19 child care facility receiving confidential information under
20 this Section who gives or causes to be given any confidential
21 information concerning any criminal convictions of an
22 applicant, employee, or volunteer of a child care facility or
23 non-licensed service provider, shall be guilty of a Class A
24 misdemeanor unless release of such information is authorized
25 by this Section.

26 The Department of Children and Family Services, through

1 June 30, 2026, or the Department of Early Childhood, on and
2 after July 1, 2026, shall allow day care centers, day care
3 homes, and group day care homes to ~~A child care facility may~~
4 hire, on a probationary basis, any employee or volunteer ~~of a~~
5 ~~child care facility or non-licensed service provider~~
6 authorizing a criminal background investigation under this
7 Section after receiving a qualifying result, as determined by
8 the Department of Children and Family Services or the
9 Department of Early Childhood, whichever is applicable,
10 pursuant to this Act, from either; ~~pending the result of such~~
11 ~~investigation.~~

12 (1) the Federal Bureau of Investigation fingerprint
13 criminal background check; or

14 (2) the Illinois State Police fingerprint criminal
15 background check and a criminal record check of the
16 criminal repository of each state in which the employee or
17 volunteer resided during the preceding 5 years.

18 Pending full clearance of all background check
19 requirements, the prospective employee or volunteer must be
20 supervised at all times by an individual who received a
21 qualifying result on all background check components.
22 Employees and volunteers of a day care center, day care home,
23 or group day care home ~~child care facility or non-licensed~~
24 ~~service provider~~ shall be notified prior to hiring that such
25 employment may be terminated on the basis of criminal
26 background information obtained by the facility.

1 (Source: P.A. 102-538, eff. 8-20-21; 103-22, eff. 8-8-23.)

2 (Text of Section after amendment by P.A. 103-594)

3 Sec. 4.1. Criminal background investigations. The
4 Department of Children and Family Services or the Department
5 of Early Childhood shall require that each child care facility
6 license applicant under the agencies' respective authority as
7 part of the application process, and each employee and
8 volunteer of a child care facility or non-licensed service
9 provider, as a condition of employment, authorize an
10 investigation to determine if such applicant, employee, or
11 volunteer has ever been charged with a crime and if so, the
12 disposition of those charges; this authorization shall
13 indicate the scope of the inquiry and the agencies which may be
14 contacted. An employee or volunteer of a day care center, day
15 care home, or group day care home shall authorize an
16 investigation every 5 years, as required under the Child Care
17 and Development Block Grant. Upon this authorization, the
18 Director shall request and receive information and assistance
19 from any federal, State or local governmental agency as part
20 of the authorized investigation. Each applicant, employee, or
21 volunteer of a child care facility or non-licensed service
22 provider shall submit the applicant's, employee's, or
23 volunteer's fingerprints to the Illinois State Police in the
24 form and manner prescribed by the Illinois State Police. These
25 fingerprints shall be checked against the fingerprint records

1 now and hereafter filed in the Illinois State Police and
2 Federal Bureau of Investigation criminal history records
3 databases. The Illinois State Police shall charge a fee for
4 conducting the criminal history records check, which shall be
5 deposited in the State Police Services Fund and shall not
6 exceed the actual cost of the records check. The Illinois
7 State Police shall provide information concerning any criminal
8 charges, and their disposition, now or hereafter filed,
9 against an applicant, employee, or volunteer of a child care
10 facility or non-licensed service provider upon request of the
11 Department of Children and Family Services or the Department
12 of Early Childhood when the request is made in the form and
13 manner required by the Illinois State Police.

14 Information concerning convictions of a license applicant,
15 employee, or volunteer of a child care facility or
16 non-licensed service provider investigated under this Section,
17 including the source of the information and any conclusions or
18 recommendations derived from the information, shall be
19 provided, upon request, to such applicant, employee, or
20 volunteer of a child care facility or non-licensed service
21 provider prior to final action by the Department of Children
22 and Family Services or the Department of Early Childhood under
23 the agencies' respective authority on the application. State
24 conviction information provided by the Illinois State Police
25 regarding employees, prospective employees, or volunteers of
26 non-licensed service providers and child care facilities

1 licensed under this Act shall be provided to the operator of
2 such facility, and, upon request, to the employee, prospective
3 employee, or volunteer of a child care facility or
4 non-licensed service provider. Any information concerning
5 criminal charges and the disposition of such charges obtained
6 by the Department of Children and Family Services or the
7 Department of Early Childhood shall be confidential and may
8 not be transmitted outside the Department of Children and
9 Family Services or the Department of Early Childhood, except
10 as required herein, and may not be transmitted to anyone
11 within the Department of Children and Family Services or the
12 Department of Early Childhood except as needed for the purpose
13 of evaluating an application or an employee or volunteer of a
14 child care facility or non-licensed service provider. Only
15 information and standards which bear a reasonable and rational
16 relation to the performance of a child care facility shall be
17 used by the Department of Children and Family Services or the
18 Department of Early Childhood or any licensee. Any employee of
19 the Department of Children and Family Services, Department of
20 Early Childhood, Illinois State Police, or a child care
21 facility receiving confidential information under this Section
22 who gives or causes to be given any confidential information
23 concerning any criminal convictions of an applicant, employee,
24 or volunteer of a child care facility or non-licensed service
25 provider, shall be guilty of a Class A misdemeanor unless
26 release of such information is authorized by this Section.

1 The Department of Children and Family Services, through
2 June 30, 2026, or the Department of Early Childhood, on and
3 after July 1, 2026, shall allow day care centers, day care
4 homes, and group day care homes to ~~A child care facility may~~
5 hire, on a probationary basis, any employee or volunteer ~~of a~~
6 ~~child care facility or non-licensed service provider~~
7 authorizing a criminal background investigation under this
8 Section after receiving a qualifying result, as determined by
9 the Department of Children and Family Services or the
10 Department of Early Childhood, whichever is applicable,
11 pursuant to this Act, from either: ~~pending the result of such~~
12 ~~investigation.~~

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14 criminal background check; or

15 (2) the Illinois State Police fingerprint criminal
16 background check and a criminal record check of the
17 criminal repository of each state in which the employee or
18 volunteer resided during the preceding 5 years.

19 Pending full clearance of all background check
20 requirements, the prospective employee or volunteer must be
21 supervised at all times by an individual who received a
22 qualifying result on all background check components.
23 Employees and volunteers of a day care center, day care home,
24 or group day care home ~~child care facility or non-licensed~~
25 ~~service provider~~ shall be notified prior to hiring that such
26 employment may be terminated on the basis of criminal

1 background information obtained by the facility.

2 (Source: P.A. 102-538, eff. 8-20-21; 103-22, eff. 8-8-23;
3 103-594, eff. 7-1-26.)

4 (225 ILCS 10/7.10)

5 (Text of Section before amendment by P.A. 103-594)

6 Sec. 7.10. Licensing orientation program and progress
7 report.

8 (a) For the purposes of this Section, "child day care
9 licensing" or "day care licensing" means licensing of day care
10 centers, day care homes, and group day care homes.

11 (a-5) In addition to current day care ~~daycare~~ training and
12 subject to appropriations, the Department or any State agency
13 that assumes day care center licensing responsibilities shall
14 host licensing orientation programs to help educate potential
15 day care center, day care home, and group day care home
16 providers about the child day care licensing process. The
17 programs shall be made available in person and virtually. The
18 Department or its successor shall offer to host licensing
19 orientation programs at least twice annually in each
20 Representative District in the State. Additionally, if one or
21 more persons request that a program be offered in a language
22 other than English, then the Department or its successor must
23 accommodate the request.

24 (b) No later than September 30th of each year, the
25 Department shall provide the General Assembly with a

1 comprehensive report on its progress in meeting performance
2 measures and goals related to child day care licensing.

3 (c) The report shall include:

4 (1) details on the funding for child day care
5 licensing, including:

6 (A) the total number of full-time employees
7 working on child day care licensing;

8 (B) the names of all sources of revenue used to
9 support child day care licensing;

10 (C) the amount of expenditures that is claimed
11 against federal funding sources;

12 (D) the identity of federal funding sources; and

13 (E) how funds are appropriated, including
14 appropriations for line staff, support staff,
15 supervisory staff, and training and other expenses and
16 the funding history of such licensing since fiscal
17 year 2010;

18 (2) current staffing qualifications of day care
19 licensing representatives and day care licensing
20 supervisors in comparison with staffing qualifications
21 specified in the job description;

22 (3) data history for fiscal year 2010 to the current
23 fiscal year on day care licensing representative caseloads
24 and staffing levels in all areas of the State;

25 (4) per the DCFS Child Day Care Licensing Advisory
26 Council's work plan, quarterly data on the following

1 measures:

2 (A) the number and percentage of new applications
3 disposed of within 90 days;

4 (B) the percentage of licenses renewed on time;

5 (C) the percentage of day care centers receiving
6 timely annual monitoring visits;

7 (D) the percentage of day care homes receiving
8 timely annual monitoring visits;

9 (E) the percentage of group day care homes
10 receiving timely annual monitoring visits;

11 (F) the percentage of provider requests for
12 supervisory review;

13 (G) the progress on adopting a key indicator
14 system;

15 (H) the percentage of complaints disposed of
16 within 30 days;

17 (I) the average number of days a day care center
18 applicant must wait to attend a licensing orientation;

19 (J) the number of licensing orientation sessions
20 available per region in the past year; and

21 (K) the number of Department trainings related to
22 licensing and child development available to providers
23 in the past year; and

24 (5) efforts to coordinate with the Department of Human
25 Services and the State Board of Education on professional
26 development, credentialing issues, and child developers,

1 including training registry, child developers, and Quality
2 Rating and Improvement Systems (QRIS).

3 (d) The Department shall work with the Governor's
4 appointed Early Learning Council on issues related to and
5 concerning child day care.

6 (Source: P.A. 103-805, eff. 1-1-25; revised 10-10-24.)

7 (Text of Section after amendment by P.A. 103-594)

8 Sec. 7.10. Licensing orientation program and progress
9 report.

10 (a) For the purposes of this Section, "child day care
11 licensing" or "day care licensing" means licensing of day care
12 centers, day care homes, and group day care homes.

13 (a-5) In addition to current day care ~~daycare~~ training and
14 subject to appropriations, the Department or any State agency
15 that assumes day care center licensing responsibilities shall
16 host licensing orientation programs to help educate potential
17 day care center, day care home, and group day care home
18 providers about the child day care licensing process. The
19 programs shall be made available in person and virtually. The
20 Department or its successor shall offer to host licensing
21 orientation programs at least twice annually in each
22 Representative District in the State. Additionally, if one or
23 more persons request that a program be offered in a language
24 other than English, then the Department or its successor must
25 accommodate the request.

1 (b) No later than September 30th of each year, the
2 Department of Early Childhood shall provide the General
3 Assembly with a comprehensive report on its progress in
4 meeting performance measures and goals related to child day
5 care licensing.

6 (c) The report shall include:

7 (1) details on the funding for child day care
8 licensing, including:

9 (A) the total number of full-time employees
10 working on child day care licensing;

11 (B) the names of all sources of revenue used to
12 support child day care licensing;

13 (C) the amount of expenditures that is claimed
14 against federal funding sources;

15 (D) the identity of federal funding sources; and

16 (E) how funds are appropriated, including
17 appropriations for line staff, support staff,
18 supervisory staff, and training and other expenses and
19 the funding history of such licensing since fiscal
20 year 2010;

21 (2) current staffing qualifications of day care
22 licensing representatives and day care licensing
23 supervisors in comparison with staffing qualifications
24 specified in the job description;

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26 fiscal year on day care licensing representative caseloads

1 and staffing levels in all areas of the State;

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11 timely annual monitoring visits;

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13 receiving timely annual monitoring visits;

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15 supervisory review;

16 (G) the progress on adopting a key indicator
17 system;

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19 within 30 days;

20 (I) the average number of days a day care center
21 applicant must wait to attend a licensing orientation;

22 (J) the number of licensing orientation sessions
23 available per region in the past year; and

24 (K) the number of Department of Early Childhood
25 trainings related to licensing and child development
26 available to providers in the past year; and

1 (5) efforts to coordinate with the Department of Human
2 Services and the State Board of Education on professional
3 development, credentialing issues, and child developers,
4 including training registry, child developers, and Quality
5 Rating and Improvement Systems (QRIS).

6 (d) The Department of Early Childhood shall work with the
7 Governor's appointed Early Learning Council on issues related
8 to and concerning child day care.

9 (Source: P.A. 103-594, eff. 7-1-26; 103-805, eff. 1-1-25;
10 revised 11-26-24.)

11 Section 95. No acceleration or delay. Where this Act makes
12 changes in a statute that is represented in this Act by text
13 that is not yet or no longer in effect (for example, a Section
14 represented by multiple versions), the use of that text does
15 not accelerate or delay the taking effect of (i) the changes
16 made by this Act or (ii) provisions derived from any other
17 Public Act.