



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB4534

Introduced 1/30/2026, by Rep. Michelle Mussman

SYNOPSIS AS INTRODUCED:

325 ILCS 5/3

from Ch. 23, par. 2053

Amends the Abused and Neglected Child Reporting Act. In the definition of "abused child", provides that an abused child means a child whose parent or immediate family member, or any person responsible for the child's welfare, or any individual residing in the same home as the child, or a paramour of the child's parent commits the act of grooming a child for the purpose of establishing or attempting to establish a romantic or sexual relationship (rather than commits the offense of grooming, as defined in the Criminal Code of 2012). Effective immediately.

LRB104 16801 KTG 30210 b

1 AN ACT concerning children.

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

4 Section 5. The Abused and Neglected Child Reporting Act is
5 amended by changing Section 3 as follows:

6 (325 ILCS 5/3) (from Ch. 23, par. 2053)

7 Sec. 3. As used in this Act unless the context otherwise
8 requires:

9 "Adult resident" means any person between 18 and 22 years
10 of age who resides in any facility licensed by the Department
11 under the Child Care Act of 1969. For purposes of this Act, the
12 criteria set forth in the definitions of "abused child" and
13 "neglected child" shall be used in determining whether an
14 adult resident is abused or neglected.

15 "Agency" means a child care facility licensed under
16 Section 2.05 or Section 2.06 of the Child Care Act of 1969 and
17 includes a transitional living program that accepts children
18 and adult residents for placement who are in the guardianship
19 of the Department.

20 "Blatant disregard" means an incident where the real,
21 significant, and imminent risk of harm would be so obvious to a
22 reasonable parent or caretaker that it is unlikely that a
23 reasonable parent or caretaker would have exposed the child to

1 the danger without exercising precautionary measures to
2 protect the child from harm. With respect to a person working
3 at an agency in the person's professional capacity with a
4 child or adult resident, "blatant disregard" includes a
5 failure by the person to perform job responsibilities intended
6 to protect the child's or adult resident's health, physical
7 well-being, or welfare, and, when viewed in light of the
8 surrounding circumstances, evidence exists that would cause a
9 reasonable person to believe that the child was neglected.
10 With respect to an agency, "blatant disregard" includes a
11 failure to implement practices that ensure the health,
12 physical well-being, or welfare of the children and adult
13 residents residing in the facility.

14 "Child" means any person under the age of 18 years, unless
15 legally emancipated by reason of marriage or entry into a
16 branch of the United States armed services.

17 "Department" means Department of Children and Family
18 Services.

19 "Local law enforcement agency" means the police of a city,
20 town, village or other incorporated area or the sheriff of an
21 unincorporated area or any sworn officer of the Illinois State
22 Police.

23 "Abused child" means a child whose parent or immediate
24 family member, or any person responsible for the child's
25 welfare, or any individual residing in the same home as the
26 child, or a paramour of the child's parent:

1 (a) inflicts, causes to be inflicted, or allows to be
2 inflicted upon such child physical injury, by other than
3 accidental means, which causes death, disfigurement,
4 impairment of physical or emotional health, or loss or
5 impairment of any bodily function;

6 (b) creates a substantial risk of physical injury to
7 such child by other than accidental means which would be
8 likely to cause death, disfigurement, impairment of
9 physical or emotional health, or loss or impairment of any
10 bodily function;

11 (c) commits or allows to be committed any sex offense
12 against such child, as such sex offenses are defined in
13 the Criminal Code of 2012 or in the Wrongs to Children Act,
14 and extending those definitions of sex offenses to include
15 children under 18 years of age;

16 (d) commits or allows to be committed an act or acts of
17 torture upon such child;

18 (e) inflicts excessive corporal punishment or, in the
19 case of a person working for an agency who is prohibited
20 from using corporal punishment, inflicts corporal
21 punishment upon a child or adult resident with whom the
22 person is working in the person's professional capacity;

23 (f) commits or allows to be committed the offense of
24 female genital mutilation, as defined in Section 12-34 of
25 the Criminal Code of 2012, against the child;

26 (g) causes to be sold, transferred, distributed, or

1 given to such child under 18 years of age, a controlled
2 substance as defined in Section 102 of the Illinois
3 Controlled Substances Act in violation of Article IV of
4 the Illinois Controlled Substances Act or in violation of
5 the Methamphetamine Control and Community Protection Act,
6 except for controlled substances that are prescribed in
7 accordance with Article III of the Illinois Controlled
8 Substances Act and are dispensed to such child in a manner
9 that substantially complies with the prescription;

10 (h) commits or allows to be committed the offense of
11 involuntary servitude, involuntary sexual servitude of a
12 minor, or trafficking in persons as defined in Section
13 10-9 of the Criminal Code of 2012 against the child; or

14 (i) commits the act of grooming a child for the
15 purpose of establishing or attempting to establish a
16 romantic or sexual relationship ~~commits the offense of~~
17 ~~grooming, as defined in Section 11-25 of the Criminal Code~~
18 ~~of 2012, against the child.~~

19 A child shall not be considered abused for the sole reason
20 that the child has been relinquished in accordance with the
21 Abandoned Newborn Infant Protection Act.

22 "Neglected child" means any child who is not receiving the
23 proper or necessary nourishment or medically indicated
24 treatment including food or care not provided solely on the
25 basis of the present or anticipated mental or physical
26 impairment as determined by a physician acting alone or in

1 consultation with other physicians or otherwise is not
2 receiving the proper or necessary support or medical or other
3 remedial care recognized under State law as necessary for a
4 child's well-being, or other care necessary for the child's
5 well-being, including adequate food, clothing and shelter; or
6 who is subjected to an environment which is injurious insofar
7 as (i) the child's environment creates a likelihood of harm to
8 the child's health, physical well-being, or welfare and (ii)
9 the likely harm to the child is the result of a blatant
10 disregard of parent, caretaker, person responsible for the
11 child's welfare, or agency responsibilities; or who is
12 abandoned by the child's parents or other person responsible
13 for the child's welfare without a proper plan of care; or who
14 has been provided with interim crisis intervention services
15 under Section 3-5 of the Juvenile Court Act of 1987 and whose
16 parent, guardian, or custodian refuses to permit the child to
17 return home and no other living arrangement agreeable to the
18 parent, guardian, or custodian can be made, and the parent,
19 guardian, or custodian has not made any other appropriate
20 living arrangement for the child; or who is a newborn infant
21 whose blood, urine, or meconium contains any amount of a
22 controlled substance as defined in subsection (f) of Section
23 102 of the Illinois Controlled Substances Act or a metabolite
24 thereof, with the exception of a controlled substance or
25 metabolite thereof whose presence in the newborn infant is the
26 result of medical treatment administered to the person who

1 gave birth or the newborn infant. A child shall not be
2 considered neglected for the sole reason that the child's
3 parent or other person responsible for the child's welfare has
4 left the child in the care of an adult relative for any period
5 of time. A child shall not be considered neglected for the sole
6 reason that the child has been relinquished in accordance with
7 the Abandoned Newborn Infant Protection Act. A child shall not
8 be considered neglected or abused for the sole reason that
9 such child's parent or other person responsible for the
10 child's welfare depends upon spiritual means through prayer
11 alone for the treatment or cure of disease or remedial care as
12 provided under Section 4 of this Act. A child shall not be
13 considered neglected or abused solely because the child is not
14 attending school in accordance with the requirements of
15 Article 26 of The School Code, as amended.

16 "Child Protective Service Unit" means certain specialized
17 State employees of the Department assigned by the Director to
18 perform the duties and responsibilities as provided under
19 Section 7.2 of this Act.

20 "Near fatality" means an act that, as certified by a
21 physician, places the child in serious or critical condition,
22 including acts of great bodily harm inflicted upon children
23 under 13 years of age, and as otherwise defined by Department
24 rule.

25 "Great bodily harm" includes bodily injury which creates a
26 high probability of death, or which causes serious permanent

1 disfigurement, or which causes a permanent or protracted loss
2 or impairment of the function of any bodily member or organ, or
3 other serious bodily harm.

4 "Person responsible for the child's welfare" means the
5 child's parent; guardian; foster parent; relative caregiver;
6 any person responsible for the child's welfare in a public or
7 private residential agency or institution; any person
8 responsible for the child's welfare within a public or private
9 profit or not for profit child care facility; or any other
10 person responsible for the child's welfare at the time of the
11 alleged abuse or neglect, including any person who commits or
12 allows to be committed, against the child, the offense of
13 involuntary servitude, involuntary sexual servitude of a
14 minor, or trafficking in persons for forced labor or services,
15 as provided in Section 10-9 of the Criminal Code of 2012,
16 including, but not limited to, the custodian of the minor, or
17 any person who came to know the child through an official
18 capacity or position of trust, including, but not limited to,
19 health care professionals, educational personnel, recreational
20 supervisors, members of the clergy, and volunteers or support
21 personnel in any setting where children may be subject to
22 abuse or neglect.

23 "Temporary protective custody" means custody within a
24 hospital or other medical facility or a place previously
25 designated for such custody by the Department, subject to
26 review by the Court, including a licensed foster home, group

1 home, or other institution; but such place shall not be a jail
2 or other place for the detention of criminal or juvenile
3 offenders.

4 "An unfounded report" means any report made under this Act
5 for which it is determined after an investigation that no
6 credible evidence of abuse or neglect exists.

7 "An indicated report" means a report made under this Act
8 if an investigation determines that credible evidence of the
9 alleged abuse or neglect exists.

10 "An undetermined report" means any report made under this
11 Act in which it was not possible to initiate or complete an
12 investigation on the basis of information provided to the
13 Department.

14 "Subject of report" means any child reported to the
15 central register of child abuse and neglect established under
16 Section 7.7 of this Act as an alleged victim of child abuse or
17 neglect and the parent or guardian of the alleged victim or
18 other person responsible for the alleged victim's welfare who
19 is named in the report or added to the report as an alleged
20 perpetrator of child abuse or neglect.

21 "Perpetrator" means a person who, as a result of
22 investigation, has been determined by the Department to have
23 caused child abuse or neglect.

24 "Member of the clergy" means a clergyperson or
25 practitioner of any religious denomination accredited by the
26 religious body to which the clergyperson or practitioner

1 belongs.

2 (Source: P.A. 102-567, eff. 1-1-22; 102-676, eff. 12-3-21;
3 102-813, eff. 5-13-22; 103-22, eff. 8-8-23.)

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.