



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

SB3319

Introduced 2/3/2026, by Sen. Lakesia Collins

#### SYNOPSIS AS INTRODUCED:

325 ILCS 5/4.2

Amends the Abused and Neglected Child Reporting Act. Provides that upon notification of a child's death through the State Central Register that is subsequently accepted for investigation of abuse or neglect, the Department of Children and Family Services shall conduct a formal review of all available internal records if any of the following conditions are present: (i) the deceased child was a youth in care at the time of death; (ii) the deceased child or the child's parent is or has been the subject of a permanency or intact family case with the Department; or (iii) the Department has a history of one or more prior investigations of abuse or neglect involving the deceased child or the child's parents. Requires the Department to evaluate the quality, timeliness, and appropriateness of previous actions taken and services provided to address identified safety and risk issues. Contains provisions concerning information that the Department must include in its report, including, but not limited to, the manner of the child's death, a summary of the abuse or neglect report made to the State Central Register, and other information. Requires the Department to complete its review within 10 days of receiving a case. Contains provisions requiring annual reports. Removes provisions concerning reporting requirements on cases where a child has experienced a life-threatening injury.

LRB104 16806 KTG 30215 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 4.2 as follows:

6 (325 ILCS 5/4.2)

7 Sec. 4.2. Departmental report on death ~~or serious~~  
8 ~~life-threatening injury~~ of child.

9 (a) When the Department is notified through the State  
10 Central Register of the death of a child and the report is  
11 accepted for investigation of abuse or neglect, the Department  
12 shall conduct a formal review of all available internal  
13 records if any of the following conditions are present:

14 (1) The deceased child was a youth in care at the time  
15 of death, regardless of the youth's age.

16 (2) The deceased child or the child's parent is or has  
17 been the subject of a permanency or intact family case  
18 with the Department.

19 (3) The Department has a history of one or more prior  
20 investigations of abuse or neglect involving the deceased  
21 child or the child's parents.

22 The formal review shall evaluate the quality, timeliness,  
23 and appropriateness of previous actions taken and services

1 provided by the Department to address identified safety and  
2 risk issues.

3 ~~In the case of the death or serious life-threatening~~  
4 ~~injury of a child whose care and custody or custody and~~  
5 ~~guardianship has been transferred to the Department, or in the~~  
6 ~~case of a child abuse or neglect report made to the central~~  
7 ~~register involving the death of a child, the Department shall~~  
8 ~~(i) investigate or provide for an investigation of the cause~~  
9 ~~of and circumstances surrounding the death or serious~~  
10 ~~life-threatening injury, (ii) review the investigation, and~~  
11 ~~(iii) prepare and issue a report on the death or serious~~  
12 ~~life-threatening injury.~~

13 (b) The report shall include:

14 (1) ~~(i)~~ the manner ~~cause~~ of death ~~or serious~~  
15 ~~life-threatening injury~~, whether ~~from~~ natural, accident,  
16 suicide, homicide, or undetermined ~~or other causes;~~

17 (2) a brief summary of the report to the State Central  
18 Register involving the death of the child; ~~(ii) any~~  
19 ~~extraordinary or pertinent information concerning the~~  
20 ~~circumstances of the child's death or serious~~  
21 ~~life-threatening injury~~

22 (3) ~~(iii)~~ identification of any prior actions taken  
23 or child protective or other social services provided by  
24 the Department to the deceased child or parents and an  
25 evaluation of the quality, timeliness, and appropriateness  
26 of actions taken or services provided to address

1 ~~identified issues; or actions taken regarding the child or~~  
2 ~~the child's family at the time of the death or serious~~  
3 ~~life threatening injury or within the preceding 5 years,~~

4 (4) identification of underlying conditions, such as  
5 multigenerational child welfare involvement, paramour  
6 involvement, domestic violence, mental health issues,  
7 substance use, economic stability, and developmental  
8 disabilities; (iv) any action or further investigation  
9 ~~undertaken by the Department since the death or serious~~  
10 ~~life threatening injury of the child,~~

11 (5) (v) as appropriate, recommendations for State  
12 administrative or policy changes; and 7

13 (6) (vi) whether the alleged perpetrator of the abuse  
14 or neglect has been charged with committing a crime  
15 related to the report and allegation of abuse or neglect.  
16 ~~, and (vii) a copy of any documents, files, records,~~  
17 ~~books, and papers created or used in connection with the~~  
18 ~~Department's investigation of the death or serious~~  
19 ~~life threatening injury of the child. In any case~~  
20 ~~involving the death or near death of a child, when a person~~  
21 ~~responsible for the child has been charged with committing~~  
22 ~~a crime that results in the child's death or near death,~~  
23 ~~there shall be a presumption that the best interest of the~~  
24 ~~public will be served by public disclosure of certain~~  
25 ~~information concerning the circumstances of the~~  
26 ~~investigations of the death or near death of the child and~~

1 ~~any other investigations concerning that child or other~~  
2 ~~children living in the same household.~~

3 ~~If the Department receives from the public a request for~~  
4 ~~information relating to a case of child abuse or neglect~~  
5 ~~involving the death or serious life threatening injury of a~~  
6 ~~child, the Director shall consult with the State's Attorney in~~  
7 ~~the county of venue and release the report related to the case,~~  
8 ~~except for the following, which may be redacted from the~~  
9 ~~information disclosed to the public: any mental health or~~  
10 ~~psychological information that is confidential as otherwise~~  
11 ~~provided in State law; privileged communications of an~~  
12 ~~attorney; the identity of the individual or individuals, if~~  
13 ~~known, who made the report; information that may cause mental~~  
14 ~~or physical harm to a sibling or another child living in the~~  
15 ~~household; information that may undermine an ongoing criminal~~  
16 ~~investigation; and any information prohibited from disclosure~~  
17 ~~by federal law or regulation. Any information provided by an~~  
18 ~~adult subject of a report that is released about the case in a~~  
19 ~~public forum shall be subject to disclosure upon a public~~  
20 ~~information request. Information about the case shall also be~~  
21 ~~subject to disclosure upon consent of an adult subject.~~  
22 ~~Information about the case shall also be subject to disclosure~~  
23 ~~if it has been publicly disclosed in a report by a law~~  
24 ~~enforcement agency or official, a State's Attorney, a judge,~~  
25 ~~or any other State or local investigative agency or official.~~  
26 ~~Except as it may apply directly to the cause of the death or~~

1 ~~serious life-threatening injury of the child, nothing in this~~  
2 ~~Section shall be deemed to authorize the release or disclosure~~  
3 ~~to the public of the substance or content of any~~  
4 ~~psychological, psychiatric, therapeutic, clinical, or medical~~  
5 ~~reports, evaluation, or like materials or information~~  
6 ~~pertaining to the child or the child's family.~~

7 (c) The Department shall complete the formal review within  
8 10 days of receiving a case that meets the eligibility  
9 criteria set forth in paragraph (a). The Department shall  
10 prepare and issue an annual cumulative report that summarizes  
11 the findings of all such reviews. This report shall include  
12 non-identifying information and aggregated data and shall be  
13 submitted to the Governor and the General Assembly and  
14 published on the Department's website. No later than 6 months  
15 after the date of the death or serious life-threatening injury  
16 of the child, the Department shall notify the President of the  
17 Senate, the Minority Leader of the Senate, the Speaker of the  
18 House of Representatives, the Minority Leader of the House of  
19 Representatives, and the members of the Senate and the House  
20 of Representatives in whose district the child's death or  
21 serious life-threatening injury occurred upon the completion  
22 of each report and shall submit an annual cumulative report to  
23 the Governor and the General Assembly incorporating cumulative  
24 data about the above reports and including appropriate  
25 findings and recommendations. The reports required by this  
26 subsection (c) shall be made available to the public after

1 ~~completion or submittal.~~

2 (d) To enable the Department to prepare the report  
3 required under subsection (c), the Department may request and  
4 shall timely receive from departments, boards, bureaus, or  
5 other agencies of the State, or any of its political  
6 subdivisions, or any duly authorized agency, or any other  
7 agency which provided assistance, care, or services to the  
8 deceased ~~or injured~~ child any information they are authorized  
9 to provide.

10 (Source: P.A. 103-22, eff. 8-8-23.)