



Sen. Julie A. Morrison

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10400SB3510sam002

LRB104 20564 WRO 36932 a

1 AMENDMENT TO SENATE BILL 3510

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 3510 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Children's Advocacy Center Act is amended  
5 by changing Sections 2.5 and 4 as follows:

6 (55 ILCS 80/2.5)

7 Sec. 2.5. Definitions. As used in this Section:

8 "Accreditation" means the process in which certification  
9 of competency, authority, or credibility is presented by  
10 standards set by the National Children's Alliance to ensure  
11 effective, efficient, and consistent delivery of services by a  
12 CAC.

13 "Child maltreatment" includes any act or occurrence, as  
14 defined in Section 5 of the Criminal Code of 2012, under the  
15 Children and Family Services Act or the Juvenile Court Act of  
16 1987 involving either a child victim or child witness.

1 "Children's Advocacy Center" or "CAC" is a child-focused,  
2 trauma-informed, facility-based program in which  
3 representatives from law enforcement, child protection,  
4 prosecution, mental health, forensic interviewing, medical,  
5 and victim advocacy disciplines collaborate to interview  
6 children, meet with a child's parent or parents, caregivers,  
7 and family members, and make team decisions about the  
8 investigation, prosecution, safety, treatment, and support  
9 services for child maltreatment cases.

10 "Children's Advocacy Centers of Illinois" or "CACI" is a  
11 state chapter of the National Children's Alliance ("NCA") and  
12 organizing entity for Children's Advocacy Centers in the State  
13 of Illinois. It defines membership and engages member CACs in  
14 the NCA accreditation process and collecting and sharing of  
15 data, and provides training, leadership, and technical  
16 assistance to existing and emerging CACs in the State.

17 "Electronic recording" includes a motion picture,  
18 audiotape, videotape, or digital recording.

19 "Forensic interview" means an interview between a trained  
20 forensic interviewer, as defined by NCA standards, and a child  
21 in which the interviewer obtains information from children in  
22 an unbiased and fact finding manner that is developmentally  
23 appropriate and culturally sensitive to support accurate and  
24 fair decision making by the multidisciplinary team in the  
25 criminal justice and child protection systems. Whenever  
26 practical, all parties involved in investigating reports of

1 child maltreatment shall observe the interview, which shall be  
2 electronically recorded.

3 "Forensic interview transcription" means a verbatim  
4 transcript of a forensic interview for the purpose of  
5 translating the interview into another language.

6 "Multidisciplinary team" or "MDT" means a group of  
7 professionals working collaboratively under a written  
8 protocol, who represent various disciplines from the point of  
9 a report of child maltreatment to assure the most effective  
10 coordinated response possible for every child. MDT members

11 shall access and share relevant information related to an  
12 investigation to the extent authorized by applicable State and  
13 federal privacy and confidentiality laws, so that  
14 professionals involved in the investigation can coordinate  
15 effectively, ensure the safety and well-being of the child,  
16 and support a thorough and informed investigation while  
17 protecting sensitive information. ~~Employees from each~~

18 ~~participating entity shall be included on the MDT.~~ A CAC's MDT  
19 must include professionals involved in the ~~coordination,~~  
20 investigation, and prosecution of child abuse and  
21 professionals, such as victim advocates, involved in the  
22 coordination of care for and treatment of victims~~cases,~~  
23 including the CAC's staff, participating law enforcement  
24 agencies, the county state's attorney, ~~and~~ the Illinois  
25 Department of Children and Family Services, and specialized  
26 medical and mental health providers ~~must include professionals~~

1 ~~involved in the delivery of services to victims of child~~  
2 ~~maltreatment and non-offending parent or parents, caregiver,~~  
3 ~~and their families.~~ MDT members shall coordinate, communicate,  
4 and keep non-offending parents and caregivers and their  
5 families aware of the status of the investigation.

6 "National Children's Alliance" or "NCA" means the  
7 professional membership organization dedicated to helping  
8 local communities respond to allegations of child abuse in an  
9 effective and efficient manner. NCA provides training,  
10 support, technical assistance and leadership on a national  
11 level to state and local CACs and communities responding to  
12 reports of child maltreatment. NCA is the national  
13 organization that provides the standards for CAC  
14 accreditation.

15 "Protocol" means a written methodology defining the  
16 responsibilities of each of the MDT members in the  
17 investigation and prosecution of child maltreatment within a  
18 defined jurisdiction. Written protocols are signed documents  
19 and are reviewed and/or updated annually, at a minimum, by a  
20 CAC's Advisory Board.

21 (Source: P.A. 101-81, eff. 7-12-19; 101-236, eff. 1-1-20.)

22 (55 ILCS 80/4) (from Ch. 23, par. 1804)

23 Sec. 4. Children's Advocacy Center.

24 (a) Children's Advocacy Centers shall ~~A CAC may~~ be  
25 established to coordinate the activities of the various

1 agencies involved in the investigation, prosecution and  
2 treatment of child maltreatment. The individual county or  
3 regional Advisory Board shall set the written protocol of the  
4 CAC within the appropriate jurisdiction. The operation of the  
5 CAC may be funded through public or private grants, contracts,  
6 donations, fees, and other available sources under this Act.  
7 Each CAC shall operate to the best of its ability in accordance  
8 with available funding. In counties in which a referendum has  
9 been adopted under Section 5 of this Act, the Advisory Board,  
10 by the majority vote of its members, shall submit a proposed  
11 annual budget for the operation of the CAC to the county board,  
12 which shall appropriate funds and levy a tax sufficient to  
13 operate the CAC. The county board in each county in which a  
14 referendum has been adopted shall establish a Children's  
15 Advocacy Center Fund and shall deposit the net proceeds of the  
16 tax authorized by Section 6 of this Act in that Fund, which  
17 shall be kept separate from all other county funds and shall  
18 only be used for the purposes of this Act.

19 (b) The Advisory Board shall pay from the Children's  
20 Advocacy Center Fund or from other available funds the  
21 salaries of all employees of the Center and the expenses of  
22 acquiring a physical plant for the Center by construction or  
23 lease and maintaining the Center, including the expenses of  
24 administering the coordination of the investigation,  
25 prosecution and treatment referral of child maltreatment under  
26 the provisions of the protocol adopted pursuant to this Act.

1 (b-1) Recognizing the pivotal role of CACs in providing  
2 comprehensive support to trafficked children and youth, each  
3 CAC shall:

4 (1) ensure that each county's multidisciplinary  
5 ~~multi disciplinary~~ team protocol includes a response to  
6 allegations of human trafficking;

7 (2) increase the capacity of each multidisciplinary  
8 ~~multi disciplinary~~ team to identify, assess, and serve  
9 trafficked children and youth;

10 (3) facilitate collaboration between the CAC, law  
11 enforcement, child welfare agencies, health care  
12 providers, and other pertinent stakeholders to ensure a  
13 synchronized and trauma-informed response to trafficked  
14 children and youth;

15 (4) ensure all CAC employees and contractors treating,  
16 interviewing, or coming in contact with victims receive  
17 training on victim-centered, trauma-informed response to  
18 child and youth victims of human trafficking, including  
19 identifying and addressing the unique needs of trafficked  
20 children and youth, thereby enabling access to appropriate  
21 support services and legal remedies; and

22 (5) work with the Department of Human Services to  
23 establish standards for victim-centered, trauma-informed  
24 training for CACs and members of multidisciplinary  
25 ~~multi disciplinary~~ teams.

26 (c) Every CAC shall include at least the following

1 components:

2 (1) A multidisciplinary, coordinated systems approach  
3 to the investigation of child maltreatment, which shall  
4 include, at a minimum:

5 (i) a comprehensive ~~an~~ interagency notification  
6 procedure for all MDT partners;

7 (ii) a policy on multidisciplinary team  
8 collaboration and communication that requires  
9 coordination among applicable MDT members and  
10 establishes procedures for the exchange of information  
11 ~~requires MDT members share information~~ pertinent to  
12 investigations and the safety of the child to the  
13 extent permitted under applicable state and federal  
14 privacy and confidentiality laws, through secure and  
15 confidential methods. The policy shall require that  
16 MDT members have access to and share relevant  
17 information related to an investigation to the extent  
18 authorized by applicable State and federal privacy and  
19 confidentiality laws, to facilitate MDT coordination,  
20 support the investigative responsibilities of the  
21 agencies with statutory authority, promote the safety  
22 and well-being of the child, and support a thorough  
23 and informed investigation while protecting sensitive  
24 information ~~children;~~

25 (iii) (blank);

26 (iv) a description of the role each agency has in

1           responding to a referral for services in an individual  
2           case;

3           (v) a dispute resolution process between the  
4           involved agencies when a conflict arises on how to  
5           proceed on the referral of a particular case;

6           (vi) a process for the CAC to assist in the  
7           forensic interview of children that witness alleged  
8           crimes;

9           (vii) a child-friendly, trauma-informed ~~trauma~~  
10          ~~informed~~ space for children and their non-offending  
11          family members;

12          (viii) an MDT approach including law enforcement,  
13          prosecution, medical, mental health, victim advocacy,  
14          the Department of Children and Family Services, and  
15          other community resources, and, if appropriate, school  
16          personnel;

17          (ix) medical evaluation on-site or off-site  
18          through referral;

19          (x) mental health services on-site or off-site  
20          through referral;

21          (xi) on-site forensic interviews;

22          (xii) culturally competent services;

23          (xiii) case tracking and review;

24          (xiv) case staffing on each investigation;

25          (xv) effective organizational capacity; ~~and~~

26          (xvi) a policy or procedure to familiarize a child

1 and his or her non-offending family members or  
2 guardians with the court process as well as  
3 preparations for testifying in court, if necessary;  
4 and

5 (xvii) participation of appropriate MDT members,  
6 as relevant to the circumstances of the case;

7 (2) A safe, separate space with assigned personnel  
8 designated for the investigation and coordination of child  
9 maltreatment cases;

10 (3) A multidisciplinary case review process for  
11 purposes of decision-making, problem solving, systems  
12 coordination, and information sharing;

13 (4) A comprehensive client tracking system to receive  
14 and coordinate information concerning child maltreatment  
15 cases from each participating agency;

16 (5) Multidisciplinary specialized training for all  
17 professionals involved with the victims and non-offending  
18 family members in child maltreatment cases; and

19 (6) A process for evaluating the effectiveness of the  
20 CAC and its operations.

21 (d) In the event that a CAC has been established as  
22 provided in this Section, the Advisory Board of that CAC may,  
23 by a majority vote of the members, authorize the CAC to  
24 coordinate the activities of the various agencies involved in  
25 the investigation, prosecution, and treatment referral in  
26 cases of serious or fatal injury to a child. For CACs receiving

1 funds under Section 5 or 6 of this Act, the Advisory Board  
2 shall provide for the financial support of these activities in  
3 a manner similar to that set out in subsections (a) and (b) of  
4 this Section and shall be allowed to submit a budget that  
5 includes support for physical abuse and neglect activities to  
6 the County Board, which shall appropriate funds that may be  
7 available under Section 5 of this Act. In cooperation with the  
8 Department of Children and Family Services Child Death Review  
9 Teams, the Department of Children and Family Services Office  
10 of the Inspector General, and other stakeholders, this  
11 protocol must be initially implemented in selected counties to  
12 the extent that State appropriations or funds from other  
13 sources for this purpose allow.

14 (e) CACI may also provide technical assistance and  
15 guidance to the Advisory Boards.

16 (e-5) CACI shall convene an annual meeting of statewide  
17 leadership from each MDT discipline to review data, discuss  
18 and analyze findings, and work collaboratively to identify  
19 service gaps and opportunities for process improvements. CACI  
20 shall create a report that summarizes discussion at the annual  
21 meeting and shall share the report with the leadership of MDT  
22 partners and other agencies and publish the report on CACI's  
23 website.

24 (f) In this Section:

25 "Child" or "children" refers to persons under 18 years of  
26 age.

1 "Youth" means persons between the ages of 18 and 24 years.  
2 (Source: P.A. 104-159, eff. 1-1-26.)

3 Section 10. The Criminal Code of 2012 is amended by  
4 changing Section 12C-5 as follows:

5 (720 ILCS 5/12C-5) (was 720 ILCS 5/12-21.6)

6 Sec. 12C-5. Endangering the life or health of a child.

7 (a) A person commits endangering the life or health of a  
8 child when he or she knowingly: (1) causes or permits the life  
9 or health of a child under the age of 18 to be endangered; or  
10 (2) causes or permits a child to be placed in circumstances  
11 that endanger the child's life or health. It is not a violation  
12 of this Section for a person to relinquish a child in  
13 accordance with the Abandoned Newborn Infant Protection Act.

14 (b) A trier of fact may infer that a child 6 years of age  
15 or younger is unattended if that child is left in a motor  
16 vehicle for more than 10 minutes.

17 (c) "Unattended" means either: (i) not accompanied by a  
18 person 14 years of age or older; or (ii) if accompanied by a  
19 person 14 years of age or older, out of sight of that person.

20 (d) Sentence. Except as otherwise provided in this  
21 subsection, a A violation of this Section is a Class A  
22 misdemeanor. ~~A second or subsequent violation of this Section~~  
23 A person who is convicted of a second or subsequent violation  
24 of this Section is guilty of a Class 3 felony. A person who is

1 convicted of a violation of this Section after having  
2 previously been convicted under the laws of any other state of  
3 an offense that is substantially equivalent to the offense of  
4 endangering the life or health of a child, is guilty of ~~is~~ a  
5 Class 3 felony. A violation of this Section that is a proximate  
6 cause of the death of the child is a Class 3 felony for which a  
7 person, if sentenced to a term of imprisonment, shall be  
8 sentenced to a term of not less than 2 years and not more than  
9 10 years. A parent, who is found to be in violation of this  
10 Section with respect to his or her child, may be sentenced to  
11 probation for this offense pursuant to Section 12C-15.

12 (Source: P.A. 97-1109, eff. 1-1-13.)

13 Section 15. The Bill of Rights for Children is amended by  
14 changing Section 3.5 as follows:

15 (725 ILCS 115/3.5)

16 Sec. 3.5. Right to forensic interview with children's  
17 advocacy center.

18 (a) In this Section:

19 "Child" means a person under 18 years of age.

20 "Youth" means a person between the ages of 18 and 24 years.

21 (b) Every child reported to the Department of Children and  
22 Family Services or law enforcement to be a victim of sexual  
23 assault or sexual abuse, trafficking in persons, involuntary  
24 servitude, and related offenses, whose case is accepted by

1 either agency for investigation has the right to have that  
2 child's forensic interview conducted by a forensic interviewer  
3 from a children's advocacy center accredited according to the  
4 Children's Advocacy Center Act and serving the child's area or  
5 jurisdiction where the incident(s) occurred, when such service  
6 is accessible based on the CAC's available resources. The  
7 agency with statutory investigative authority shall notify the  
8 child, in a manner that is developmentally appropriate and  
9 consistent with the child's capacity to understand, of the  
10 child's right to receive a forensic interview through a CAC.  
11 This right may be asserted by the child or, when appropriate  
12 based on the child's developmental capacity, by the child's  
13 parent or guardian with the child's assent. The agency may  
14 also notify the child's parent or guardian of this right,  
15 unless the agency determines that the notification would  
16 conflict with the child's expressed wishes, would be  
17 inconsistent with the child's developmental capacity, or would  
18 deter the child from participating in the investigation. If  
19 the agency with statutory investigating authority is a law  
20 enforcement agency, then the law enforcement agency shall not  
21 notify the parent or guardian of a child 13 years of age or  
22 older, unless the law enforcement agency confirms that the  
23 notification would not conflict with the child's expressed  
24 wishes. The child may request the presence of a support person  
25 when notice is given under this Section. ~~informing the~~  
26 ~~investigating personnel at the Department of Children and~~

1 ~~Family Services or the law enforcement agency that the parent~~  
2 ~~or guardian wants the child to have the child's interview~~  
3 ~~conducted by the children's advocacy center.~~ Each local CAC  
4 protocol will outline a process to address situations in which  
5 it is deemed not possible for a forensic interview to occur, to  
6 ensure a trauma-informed response with follow up services from  
7 the CAC.

8 (Source: P.A. 102-477, eff. 1-1-22.)

9 Section 20. The Privacy of Child Victims of Criminal  
10 Sexual Offenses Act is amended by changing Section 3 as  
11 follows:

12 (725 ILCS 190/3) (from Ch. 38, par. 1453)

13 Sec. 3. Confidentiality of law enforcement and court  
14 records. Notwithstanding any other law to the contrary,  
15 inspection and copying of law enforcement records maintained  
16 by any law enforcement agency or all circuit court records  
17 maintained by any circuit clerk relating to any investigation  
18 or proceeding pertaining to a criminal sexual offense, by any  
19 person, except a judge, state's attorney, assistant state's  
20 attorney, Attorney General, Assistant Attorney General,  
21 psychologist, psychiatrist, social worker, doctor,  
22 non-offending parent or guardian, parole agent, aftercare  
23 specialist, probation officer, multidisciplinary team member,  
24 as defined in the Children's Advocacy Center Act, defendant,

1 defendant's attorney, advocate, or victim's attorney (as  
2 defined in Section 3 of the Rights of Crime Victims and  
3 Witnesses Act) in any criminal proceeding or investigation  
4 related thereto, shall be restricted to exclude the identity  
5 of any child who is a victim of such criminal sexual offense or  
6 alleged criminal sexual offense unless a court order is issued  
7 authorizing the removal of such restriction as provided under  
8 this Section of a particular case record or particular records  
9 of cases maintained by any circuit court clerk. A court may,  
10 for the child's protection and for good cause shown, prohibit  
11 any person or agency present in court from further disclosing  
12 the child's identity.

13 A court may prohibit such disclosure only after giving  
14 notice and a hearing to all affected parties. In determining  
15 whether to prohibit disclosure of the minor's identity, the  
16 court shall consider:

17 (1) the best interest of the child; and

18 (2) whether such nondisclosure would further a  
19 compelling State interest.

20 When a criminal sexual offense is committed or alleged to  
21 have been committed by a school district employee or any  
22 individual contractually employed by a school district, a copy  
23 of the criminal history record information relating to the  
24 investigation of the offense or alleged offense shall be  
25 transmitted to the superintendent of schools of the district  
26 immediately upon request or if the law enforcement agency

1 knows that a school district employee or any individual  
2 contractually employed by a school district has committed or  
3 is alleged to have committed a criminal sexual offense, the  
4 superintendent of schools of the district shall be immediately  
5 provided a copy of the criminal history record information.  
6 The copy of the criminal history record information to be  
7 provided under this Section shall exclude the identity of the  
8 child victim. The superintendent shall be restricted from  
9 revealing the identity of the victim. Nothing in this Article  
10 precludes or may be used to preclude a mandated reporter from  
11 reporting child abuse or child neglect as required under the  
12 Abused and Neglected Child Reporting Act.

13 For the purposes of this Act, "criminal history record  
14 information" means:

15 (i) chronologically maintained arrest information,  
16 such as traditional arrest logs or blotters;

17 (ii) the name of a person in the custody of a law  
18 enforcement agency and the charges for which that person  
19 is being held;

20 (iii) court records that are public, as defined in  
21 paragraph (1) of subsection (b) of Section 5 of the Court  
22 Record and Document Accessibility Act;

23 (iv) records that are otherwise available under State  
24 or local law; or

25 (v) records in which the requesting party is the  
26 individual identified, except as provided under part (vii)

1           of paragraph (c) of subsection (1) of Section 7 of the  
2           Freedom of Information Act.  
3       (Source: P.A. 102-651, eff. 1-1-22; 102-813, eff. 5-13-22;  
4       103-166, eff. 1-1-24.)".