



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

SB3096

Introduced 2/6/2020, by Sen. Julie A. Morrison

#### SYNOPSIS AS INTRODUCED:

225 ILCS 10/2.17

from Ch. 23, par. 2212.17

225 ILCS 10/3.6 new

Amends the Child Care Act of 1969. Provides that the Department of Children and Family Services shall develop an appropriate licensing and monitoring system that recognizes the unique population and programming for youth served by the Comprehensive Community-Based Youth Services program. Provides that the Department shall maintain licensing staff who are knowledgeable of Comprehensive Community-Based Youth Services program standards, as set forth by the Department of Human Services. Provides that the Department of Human Services shall be responsible for the development and implementation of training curriculum for host homes that recognizes the unique population and programming of youth served in Comprehensive Community-Based Youth Services. Provides that host homes licensed by the Department shall not be utilized for a child who is a youth in care of the Department. Defines "host homes". Effective July 1, 2021.

LRB101 18366 SPS 67813 b

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 2.17 and by adding Section 3.6 as follows:

6 (225 ILCS 10/2.17) (from Ch. 23, par. 2212.17)

7 Sec. 2.17. "Foster family home" means a facility for child  
8 care in residences of families who receive no more than 6  
9 children unrelated to them, unless all the children are of  
10 common parentage, or residences of relatives who receive no  
11 more than 6 related children placed by the Department, unless  
12 the children are of common parentage, for the purpose of  
13 providing family care and training for the children on a  
14 full-time basis, except the Director of Children and Family  
15 Services, pursuant to Department regulations, may waive the  
16 numerical limitation of foster children who may be cared for in  
17 a foster family home for any of the following reasons to allow:  
18 (1) a parenting youth in foster care to remain with the child  
19 of the parenting youth; (2) siblings to remain together; (3) a  
20 child with an established meaningful relationship with the  
21 family to remain with the family; or (4) a family with special  
22 training or skills to provide care to a child who has a severe  
23 disability. The family's or relative's own children, under 18

1 years of age, shall be included in determining the maximum  
2 number of children served. For purposes of this Section, a  
3 "relative" includes any person, 21 years of age or over, other  
4 than the parent, who (i) is currently related to the child in  
5 any of the following ways by blood or adoption: grandparent,  
6 sibling, great-grandparent, uncle, aunt, nephew, niece, first  
7 cousin, great-uncle, or great-aunt; or (ii) is the spouse of  
8 such a relative; or (iii) is a child's step-father,  
9 step-mother, or adult step-brother or step-sister; or (iv) is a  
10 fictive kin; "relative" also includes a person related in any  
11 of the foregoing ways to a sibling of a child, even though the  
12 person is not related to the child, when the child and its  
13 sibling are placed together with that person. For purposes of  
14 placement of children pursuant to Section 7 of the Children and  
15 Family Services Act and for purposes of licensing requirements  
16 set forth in Section 4 of this Act, for children under the  
17 custody or guardianship of the Department pursuant to the  
18 Juvenile Court Act of 1987, after a parent signs a consent,  
19 surrender, or waiver or after a parent's rights are otherwise  
20 terminated, and while the child remains in the custody or  
21 guardianship of the Department, the child is considered to be  
22 related to those to whom the child was related under this  
23 Section prior to the signing of the consent, surrender, or  
24 waiver or the order of termination of parental rights. The term  
25 "foster family home" includes homes receiving children from any  
26 State-operated institution for child care; or from any agency

1 established by a municipality or other political subdivision of  
2 the State of Illinois authorized to provide care for children  
3 outside their own homes. The term "foster family home" does not  
4 include an "adoption-only home" as defined in Section 2.23 of  
5 this Act. The types of foster family homes are defined as  
6 follows:

7 (a) "Boarding home" means a foster family home which  
8 receives payment for regular full-time care of a child or  
9 children.

10 (b) "Free home" means a foster family home other than  
11 an adoptive home which does not receive payments for the  
12 care of a child or children.

13 (c) "Adoptive home" means a foster family home which  
14 receives a child or children for the purpose of adopting  
15 the child or children, but does not include an  
16 adoption-only home.

17 (d) "Work-wage home" means a foster family home which  
18 receives a child or children who pay part or all of their  
19 board by rendering some services to the family not  
20 prohibited by the Child Labor Law or by standards or  
21 regulations of the Department prescribed under this Act.  
22 The child or children may receive a wage in connection with  
23 the services rendered the foster family.

24 (e) "Agency-supervised home" means a foster family  
25 home under the direct and regular supervision of a licensed  
26 child welfare agency, of the Department of Children and

1 Family Services, of a circuit court, or of any other State  
2 agency which has authority to place children in child care  
3 facilities, and which receives no more than 8 children,  
4 unless of common parentage, who are placed and are  
5 regularly supervised by one of the specified agencies.

6 (f) "Independent home" means a foster family home,  
7 other than an adoptive home, which receives no more than 4  
8 children, unless of common parentage, directly from  
9 parents, or other legally responsible persons, by  
10 independent arrangement and which is not subject to direct  
11 and regular supervision of a specified agency except as  
12 such supervision pertains to licensing by the Department.

13 (g) "Host home" means an emergency foster family home  
14 under the direction and regular supervision of a licensed  
15 child welfare agency, contracted to provide short-term  
16 crisis intervention services to youth served under the  
17 Comprehensive Community-Based Youth Services program,  
18 under the direction of the Department of Human Services.  
19 The youth shall not be under the custody or guardianship of  
20 the Department pursuant to the Juvenile Court Act of 1987.

21 (Source: P.A. 101-63, eff. 7-12-19.)

22 (225 ILCS 10/3.6 new)

23 Sec. 3.6. Licenses for host homes. The Department shall  
24 develop an appropriate licensing and monitoring system that  
25 recognizes the unique population and programming for youth

1 served by the Comprehensive Community-Based Youth Services  
2 program. The Department shall maintain licensing staff who are  
3 knowledgeable of Comprehensive Community-Based Youth Services  
4 program standards, as set forth by the Department of Human  
5 Services. The Department of Human Services shall be solely  
6 responsible for the development and implementation of training  
7 curriculum for host homes that recognizes the unique population  
8 and programming of youth served in Comprehensive  
9 Community-Based Youth Services. Host homes licensed by the  
10 Department shall not be utilized for a child who is a youth in  
11 care as defined in Section 4d of the Children and Family  
12 Services Act.

13 Section 99. Effective date. This Act takes effect July 1,  
14 2021.