



Rep. Tom Weber

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10200HB4071ham002

LRB102 18195 KTG 37076 a

1 AMENDMENT TO HOUSE BILL 4071

2 AMENDMENT NO. _____. Amend House Bill 4071 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Reference to Act. This Act may be referred to
5 as the AJ Freund Act.

6 Section 5. The Abused and Neglected Child Reporting Act is
7 amended by changing Section 7.3 as follows:

8 (325 ILCS 5/7.3) (from Ch. 23, par. 2057.3)

9 Sec. 7.3. (a) The Department shall be the sole agency
10 responsible for receiving and investigating reports of child
11 abuse or neglect made under this Act, including reports of
12 adult resident abuse or neglect as defined in this Act, except
13 where investigations by other agencies may be required with
14 respect to reports alleging the abuse or neglect of a child by
15 a person who is not the child's parent, a member of the child's

1 immediate family, a person responsible for the child's
2 welfare, an individual residing in the same home as the child,
3 or a paramour of the child's parent, the death of a child,
4 serious injury to a child or sexual abuse to a child made
5 pursuant to Sections 4.1 or 7 of this Act, and except that the
6 Department may delegate the performance of the investigation
7 to the Illinois State Police, a law enforcement agency and to
8 those private social service agencies which have been
9 designated for this purpose by the Department prior to July 1,
10 1980.

11 (b) Notwithstanding any other provision of this Act, the
12 Department shall adopt rules expressly allowing law
13 enforcement personnel to investigate reports of suspected
14 child abuse or neglect concurrently with the Department,
15 without regard to whether the Department determines a report
16 to be "indicated" or "unfounded" or deems a report to be
17 "undetermined". Upon any determination, the complete
18 investigative report shall be shared with the office of the
19 State's Attorney of the involved county, if requested, to the
20 extent such disclosure is permitted by current law and
21 regulation, and subject to any and all existing and applicable
22 requirements to maintain the information shared as
23 confidential. Nothing shall prohibit the office of the State's
24 Attorney of the involved county from concurrently conducting
25 an additional, independent investigation of the same incidents
26 and allegations investigated by the Department. At the

1 commencement of the State's Attorney's independent
2 investigation, the State's Attorney, in his or her official
3 capacity as a mandated reporter, shall notify the Department
4 of the independent investigation by making a report by
5 telephone to the central register established under Section
6 7.7 on the single, State-wide, toll-free telephone number
7 established in Section 7.6. Upon completion of the independent
8 investigation, the State's Attorney shall share his or her
9 findings and determinations with the Department.

10 (c) By June 1, 2016, the Department shall adopt rules that
11 address and set forth criteria and standards relevant to
12 investigations of reports of abuse or neglect committed by any
13 agency, as defined in Section 3 of this Act, or person working
14 for an agency responsible for the welfare of a child or adult
15 resident.

16 (Source: P.A. 101-583, eff. 1-1-20; 102-538, eff. 8-20-21.)".