

# HB4491



## 103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

**HB4491**

Introduced 1/17/2024, by Rep. Laura Faver Dias

### SYNOPSIS AS INTRODUCED:

225 ILCS 10/3

from Ch. 23, par. 2213

Amends the Child Care Act of 1969. Provides that a qualified child care director must be present at the open or close of the facility. Provides that a qualified early childhood teacher who has been employed by the facility continuously for at least 24 months may otherwise be present for the first or last hour of the workday.

LRB103 35774 SPS 65856 b

A BILL FOR

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 3 as follows:

6 (225 ILCS 10/3) (from Ch. 23, par. 2213)

7 Sec. 3. (a) No person, group of persons or corporation may  
8 operate or conduct any facility for child care, as defined in  
9 this Act, without a license or permit issued by the Department  
10 or without being approved by the Department as meeting the  
11 standards established for such licensing, with the exception  
12 of facilities for whom standards are established by the  
13 Department of Corrections under Section 3-15-2 of the Unified  
14 Code of Corrections and with the exception of facilities  
15 defined in Section 2.10 of this Act, and with the exception of  
16 programs or facilities licensed by the Department of Human  
17 Services under the Substance Use Disorder Act.

18 (b) No part day child care facility as described in  
19 Section 2.10 may operate without written notification to the  
20 Department or without complying with Section 7.1. Notification  
21 shall include a notarized statement by the facility that the  
22 facility complies with state or local health standards and  
23 state fire safety standards, and shall be filed with the

1 department every 2 years.

2 (c) The Director of the Department shall establish  
3 policies and coordinate activities relating to child care  
4 licensing, licensing of day care homes and day care centers.

5 (d) Any facility or agency which is exempt from licensing  
6 may apply for licensing if licensing is required for some  
7 government benefit.

8 (e) A provider of day care described in items (a) through  
9 (j) of Section 2.09 of this Act is exempt from licensure. The  
10 Department shall provide written verification of exemption and  
11 description of compliance with standards for the health,  
12 safety, and development of the children who receive the  
13 services upon submission by the provider of, in addition to  
14 any other documentation required by the Department, a  
15 notarized statement that the facility complies with: (1) the  
16 standards of the Department of Public Health or local health  
17 department, (2) the fire safety standards of the State Fire  
18 Marshal, and (3) if operated in a public school building, the  
19 health and safety standards of the State Board of Education.

20 (f) A qualified child care director, as defined in 89 Ill.  
21 Adm. Code 407.130, must be present at the open or close of the  
22 facility. A qualified early childhood teacher, as defined in  
23 89 Ill. Adm. Code 407.140, who has been employed by the  
24 facility continuously for at least 24 months may otherwise be  
25 present for the first or last hour of the workday.

26 (Source: P.A. 99-699, eff. 7-29-16; 100-759, eff. 1-1-19.)