

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) Either a qualified child care director, as defined in
21 89 Ill. Adm. Code 407.130, or a qualified early childhood
22 teacher, as defined in 89 Ill. Adm. 407.140, with a minimum of
23 2,880 hours of experience as an early childhood teacher, must
24 be present for the first and last hour of the workday and at
25 the open or close of the facility.

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