



Human Services Committee

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09500HB0421ham001

LRB095 04461 DRJ 30888 a

1 AMENDMENT TO HOUSE BILL 421

2 AMENDMENT NO. _____. Amend House Bill 421 by replacing
3 everything after the enacting clause with the following:

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

6 (325 ILCS 5/7) (from Ch. 23, par. 2057)

7 Sec. 7. Time and manner of making reports. All reports of
8 suspected child abuse or neglect made under this Act shall be
9 made immediately by telephone to the central register
10 established under Section 7.7 on the single, State-wide,
11 toll-free telephone number established in Section 7.6, or in
12 person or by telephone through the nearest Department office.
13 The Department shall, in cooperation with school officials,
14 distribute appropriate materials in school buildings listing
15 the toll-free telephone number established in Section 7.6,
16 including methods of making a report under this Act. The

1 Department may, in cooperation with appropriate members of the
2 clergy, distribute appropriate materials in churches,
3 synagogues, temples, mosques, or other religious buildings
4 listing the toll-free telephone number established in Section
5 7.6, including methods of making a report under this Act.

6 Wherever the Statewide number is posted, there shall also
7 be posted the following notice:

8 "Any person who knowingly transmits a false report to the
9 Department commits the offense of disorderly conduct under
10 subsection (a) (7) of Section 26-1 of the Criminal Code of 1961.
11 A first violation of this subsection is a Class A misdemeanor,
12 punishable by a term of imprisonment for up to one year, or by
13 a fine not to exceed \$1,000, or by both such term and fine. A
14 second or subsequent violation is a Class 4 felony."

15 The report required by this Act shall include, if known,
16 the name and address of the child and his parents or other
17 persons having his custody; the child's age; the nature of the
18 child's condition including any evidence of previous injuries
19 or disabilities; and any other information that the person
20 filing the report believes might be helpful in establishing the
21 cause of such abuse or neglect and the identity of the person
22 believed to have caused such abuse or neglect. Reports made to
23 the central register through the State-wide, toll-free
24 telephone number shall be immediately transmitted by the
25 Department to the appropriate Child Protective Service Unit.
26 All such reports alleging the death of a child, serious injury

1 to a child including, but not limited to, brain damage, skull
2 fractures, subdural hematomas, and internal injuries, torture
3 of a child, malnutrition of a child, and sexual abuse to a
4 child, including, but not limited to, sexual intercourse,
5 sexual exploitation, sexual molestation, and sexually
6 transmitted disease in a child age 12 and under, shall also be
7 immediately transmitted by the Department to the appropriate
8 local law enforcement agency. The Department shall within 24
9 hours orally notify local law enforcement personnel and the
10 office of the State's Attorney of the involved county of the
11 receipt of any report alleging the death of a child, serious
12 injury to a child including, but not limited to, brain damage,
13 skull fractures, subdural hematomas, and, internal injuries,
14 torture of a child, malnutrition of a child, and sexual abuse
15 to a child, including, but not limited to, sexual intercourse,
16 sexual exploitation, sexual molestation, and sexually
17 transmitted disease in a child age twelve and under. All oral
18 reports made by the Department to local law enforcement
19 personnel and the office of the State's Attorney of the
20 involved county shall be confirmed in writing within 24 ~~48~~
21 hours of the oral report. All reports by persons mandated to
22 report under this Act shall be confirmed in writing to the
23 appropriate Child Protective Service Unit, which may be on
24 forms supplied by the Department, within 48 hours of any
25 initial report.

26 Written confirmation reports from persons not required to

1 report by this Act may be made to the appropriate Child
2 Protective Service Unit. Written reports from persons required
3 by this Act to report shall be admissible in evidence in any
4 judicial proceeding relating to child abuse or neglect. Reports
5 involving known or suspected child abuse or neglect in public
6 or private residential agencies or institutions shall be made
7 and received in the same manner as all other reports made under
8 this Act.

9 (Source: P.A. 92-801, eff. 8-16-02.)

10 (325 ILCS 5/7.3) (from Ch. 23, par. 2057.3)

11 Sec. 7.3. (a) The Department shall be the sole agency
12 responsible for receiving and investigating reports of child
13 abuse or neglect made under this Act, except where
14 investigations by other agencies may be required with respect
15 to reports alleging the death of a child, serious injury to a
16 child or sexual abuse to a child made pursuant to Sections 4.1
17 or 7 of this Act, and except that the Department may delegate
18 the performance of the investigation to the Department of State
19 Police, a law enforcement agency and to those private social
20 service agencies which have been designated for this purpose by
21 the Department prior to July 1, 1980.

22 (b) Notwithstanding any other provision of this Act, the
23 Department shall adopt rules expressly allowing law
24 enforcement personnel to investigate reports of suspected
25 child abuse or neglect concurrently with the Department,

1 without regard to whether the Department determines a report to
2 be "indicated" or "unfounded" or deems a report to be
3 "undetermined".

4 (Source: P.A. 85-1440.)

5 Section 99. Effective date. This Act takes effect upon
6 becoming law."