

1 AN ACT concerning children.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Abused and Neglected Child Reporting Act is  
5 amended by changing Sections 7.8 and 7.14 as follows:

6 (325 ILCS 5/7.8) (from Ch. 23, par. 2057.8)

7 Sec. 7.8. Upon receiving an oral or written report of  
8 suspected child abuse or neglect, the Department shall  
9 immediately notify, either orally or electronically, the Child  
10 Protective Service Unit of a previous report concerning a  
11 subject of the present report or other pertinent information.  
12 In addition, upon satisfactory identification procedures, to  
13 be established by Department regulation, any person authorized  
14 to have access to records under Section 11.1 relating to child  
15 abuse and neglect may request and shall be immediately provided  
16 the information requested in accordance with this Act. However,  
17 no information shall be released unless it prominently states  
18 the report is "indicated", and only information from  
19 "indicated" reports shall be released, except that information  
20 concerning pending reports may be released pursuant to Sections  
21 7.14 and 7.22 of this Act to the attorney or guardian ad litem  
22 appointed under Section 2-17 of the Juvenile Court Act of 1987  
23 and to any person authorized under paragraphs (1), (2), (3) and

1 (11) of Section 11.1. In addition, State's Attorneys are  
2 authorized to receive unfounded reports (i) for prosecution  
3 purposes related to the transmission of false reports of child  
4 abuse or neglect in violation of subsection (a), paragraph (7)  
5 of Section 26-1 of the Criminal Code of 2012 or (ii) for the  
6 purposes of screening and prosecuting a petition filed under  
7 Article II of the Juvenile Court Act of 1987 alleging a  
8 subsequent allegation of abuse or neglect relating to the same  
9 child, sibling of the child, or the same perpetrator, and  
10 attorneys and guardians ad litem appointed under Article II of  
11 the Juvenile Court Act of 1987 shall receive the reports set  
12 forth in Section 7.14 of this Act in conformance with paragraph  
13 (19) of Section 11.1 and Section 7.14 of this Act. The names  
14 and other identifying data and the dates and the circumstances  
15 of any persons requesting or receiving information from the  
16 central register shall be entered in the register record.

17 (Source: P.A. 97-1150, eff. 1-25-13; 98-807, eff. 8-1-14;  
18 revised 11-25-14.)

19 (325 ILCS 5/7.14) (from Ch. 23, par. 2057.14)

20 Sec. 7.14. All reports in the central register shall be  
21 classified in one of three categories: "indicated",  
22 "unfounded" or "undetermined", as the case may be. Prior to  
23 classifying the report, the person making the classification  
24 shall determine whether the child named in the report is the  
25 subject of an action under Article II of the Juvenile Court Act

1 of 1987. If the child is the subject of an action under Article  
2 II of the Juvenile Court Act of 1987 and the Department intends  
3 to classify the report as indicated, the Department shall,  
4 within 45 days of classification of the report, transmit a copy  
5 of the report to the attorney or guardian ad litem appointed  
6 for the child under Section 2-17 of the Juvenile Court Act of  
7 1987. If the child is the subject of an action under Article II  
8 of the Juvenile Court Act of 1987 and the Department intends to  
9 classify the report as unfounded, the Department shall, within  
10 45 days of deciding its intent to classify the report as  
11 unfounded, transmit a copy of the report and written notice of  
12 the Department's intent to the attorney or guardian ad litem  
13 appointed for the child under Section 2-17 of the Juvenile  
14 Court Act of 1987. All information identifying the subjects of  
15 an unfounded report shall be expunged from the register  
16 forthwith, except as provided in Section 7.7. Unfounded reports  
17 may only be made available to the Child Protective Service Unit  
18 when investigating a subsequent report of suspected abuse or  
19 maltreatment involving a child named in the unfounded report;  
20 and to the subject of the report, provided the Department has  
21 not expunged the file in accordance with Section 7.7. The Child  
22 Protective Service Unit shall not indicate the subsequent  
23 report solely based upon the existence of the prior unfounded  
24 report or reports. Notwithstanding any other provision of law  
25 to the contrary, an unfounded report shall not be admissible in  
26 any judicial or administrative proceeding or action except for

1 the purpose of prosecuting a petition filed under Article II of  
2 the Juvenile Court Act of 1987 alleging a subsequent allegation  
3 of abuse or neglect relating to the same child, sibling of the  
4 child, or the same perpetrator. Identifying information on all  
5 other records shall be removed from the register no later than  
6 5 years after the report is indicated. However, if another  
7 report is received involving the same child, his sibling or  
8 offspring, or a child in the care of the persons responsible  
9 for the child's welfare, or involving the same alleged  
10 offender, the identifying information may be maintained in the  
11 register until 5 years after the subsequent case or report is  
12 closed.

13 Notwithstanding any other provision of this Section,  
14 identifying information in indicated reports involving serious  
15 physical injury to a child as defined by the Department in  
16 rules, may be retained longer than 5 years after the report is  
17 indicated or after the subsequent case or report is closed, and  
18 may not be removed from the register except as provided by the  
19 Department in rules. Identifying information in indicated  
20 reports involving sexual penetration of a child, sexual  
21 molestation of a child, sexual exploitation of a child, torture  
22 of a child, or the death of a child, as defined by the  
23 Department in rules, shall be retained for a period of not less  
24 than 50 years after the report is indicated or after the  
25 subsequent case or report is closed.

26 For purposes of this Section "child" includes an adult

1 resident as defined in this Act.

2 (Source: P.A. 97-333, eff. 8-12-11; 98-453, eff. 8-16-13;

3 98-807, eff. 8-1-14; revised 11-25-14.)