

AN ACT concerning civil law.

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

Section 1. Short title. This Act may be cited as the Parental Rights for the Blind Act.

Section 5. Findings. The General Assembly finds that:

(1) blind individuals continue to face unfair, preconceived, and unnecessary societal biases as well as antiquated attitudes regarding their ability to successfully parent their children;

(2) blind individuals face these biases and preconceived attitudes in family and dependency law proceedings in which the allocation of parental responsibilities and parenting time are at stake and in public and private adoption, guardianship, and foster care proceedings;

(3) because of these societal biases and antiquated attitudes, children of blind parents are unnecessarily being removed from their parents' care or being restricted from enjoying meaningful time with their parents; and

(4) children are being denied the opportunity to enjoy the experience of living in loving homes with blind parents or other blind caregivers.

Section 10. Purpose. The purpose of this Act is to protect the best interests of children cared for or parented by blind individuals or children who could be cared for or parented by blind individuals through the establishment of procedural safeguards that require adherence to the Americans with Disabilities Act and respect for the due process and equal protection rights of blind parents or prospective blind parents in the context of child welfare, foster care, family law, and adoption.

Section 15. Definitions. As used in this Act:

"Blindness" means central visual acuity of 20/200 or less in the better eye with the use of a correcting lens. An eye that has a limitation in the field of vision so that the widest diameter of the visual field subtends an angle no greater than 20 degrees is considered to have a central visual acuity of 20/200 or less. "Blindness" includes a degenerative condition that reasonably can be expected to result in blindness.

"Supportive parenting services" means services that assist a person with blindness in the effective use of non-visual techniques and other alternative methods to enable the person to discharge parental responsibilities as successfully as a person who does not have blindness.

Section 20. Prohibitions; burden of proof.

(a) A person's blindness shall not serve as a basis for denial or restriction of parenting time or the allocation of parental responsibilities if the parenting time or the allocation of parental responsibilities is determined to be otherwise in the best interests of the child.

(b) A person's blindness shall not serve as a basis for denial of participation in public or private adoption when the adoption is determined to be otherwise in the best interests of the child.

(c) A person's blindness shall not serve as a basis for denial of foster care or guardianship when the appointment is determined to be otherwise in the best interests of the child.

(d) The Department of Children and Family Services shall develop and implement procedures that ensure and provide equal access to child welfare services, programs, and activities in a nondiscriminatory manner. Services, programs, and activities include, but are not limited to, investigations, assessments, provision of in-home services, out-of-home placements, case planning and service planning, visitation, guardianship, adoption, foster care, and reunification services. Such services, programs, and activities may also extend to proceedings under the Juvenile Court Act and proceedings to terminate parental rights. The Department of Children and Family Services shall provide training to child welfare investigators and caseworkers on these procedures.

(e) If the court determines that the right of a person with

blindness to the allocation of parental responsibilities, parenting time, foster care, guardianship, or adoption should be denied or limited in any manner, the court shall make specific written findings stating the basis for such a determination and why supportive parenting services cannot prevent the denial or limitation.