



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB1592

Introduced 02/16/05, by Rep. John E. Bradley

SYNOPSIS AS INTRODUCED:

705 ILCS 405/3-33

from Ch. 37, par. 803-33

Amends the Juvenile Court Act of 1987. Provides that a minor who is a chronic truant and who is adjudged to be a truant minor in need of supervision may be placed in detention for a period not to exceed 30 days, either as the exclusive order of disposition or, where appropriate, in conjunction with any other order of disposition issued, provided that any such detention shall be in a juvenile detention home and the minor so detained shall be 10 years of age or older.

LRB094 08870 RLC 39089 b

1 AN ACT concerning minors.

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

4 Section 5. The Juvenile Court Act of 1987 is amended by
5 changing Section 3-33 as follows:

6 (705 ILCS 405/3-33) (from Ch. 37, par. 803-33)

7 Sec. 3-33. Truant Minor in Need of Supervision.

8 (a) Definition. A minor who is reported by a regional
9 superintendent of schools, or in cities of over 500,000
10 inhabitants, by the Office of Chronic Truant Adjudication, as a
11 chronic truant shall be adjudged a truant minor in need of
12 supervision.

13 (a-1) There is a rebuttable presumption that a chronic
14 truant is a truant minor in need of supervision.

15 (a-2) There is a rebuttable presumption that school records
16 of a minor's attendance at school are authentic.

17 (a-3) For purposes of this Section, "chronic truant" has
18 the meaning ascribed to it in Section 26-2a of the School Code.

19 (b) Kinds of dispositional orders. A minor found to be a
20 truant minor in need of supervision may be:

21 (1) committed to the appropriate regional
22 superintendent of schools for a multi-disciplinary case
23 staffing, individualized educational plan or service plan,
24 or referral to comprehensive community-based youth
25 services;

26 (2) required to comply with an individualized
27 educational plan or service plan as specifically provided
28 by the appropriate regional superintendent of schools;

29 (3) ordered to obtain counseling or other supportive
30 services;

31 (4) subject to a fine in an amount in excess of \$5, but
32 not exceeding \$100, and each day of absence without valid

1 cause as defined in Section 26-2a of The School Code is a
2 separate offense;

3 (5) required to perform some reasonable public service
4 work such as, but not limited to, the picking up of litter
5 in public parks or along public highways or the maintenance
6 of public facilities; ~~or~~

7 (6) subject to having his or her driver's license or
8 driving privilege suspended for a period of time as
9 determined by the court but only until he or she attains 18
10 years of age; or.

11 (7) placed in detention for a period not to exceed 30
12 days, either as the exclusive order of disposition or,
13 where appropriate, in conjunction with any other order of
14 disposition issued under this Section, provided that any
15 such detention shall be in a juvenile detention home and
16 the minor so detained shall be 10 years of age or older.

17 A dispositional order may include a fine, public service,
18 or suspension of a driver's license or privilege only if the
19 court has made an express written finding that a truancy
20 prevention program has been offered by the school, regional
21 superintendent of schools, or a community social service agency
22 to the truant minor in need of supervision.

23 (c) Orders entered under this Section may be enforced by
24 contempt proceedings.

25 (Source: P.A. 90-143, eff. 7-23-97; 90-380, eff. 8-14-97;
26 90-590, eff. 1-1-99; 90-655, eff. 7-30-98.)