



Rep. John E. Bradley

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09400HB1592ham001

LRB094 08870 RLC 43998 a

1 AMENDMENT TO HOUSE BILL 1592

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1592 by replacing  
3 everything after the enacting clause with the following:

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 may be subject to a petition for adjudication as  
12 shall be adjudged a truant minor in need of supervision,  
13 provided that prior to the filing of the petition, a  
14 comprehensive community based youth service agency shall  
15 certify that the minor has been referred by the regional  
16 superintendent or Office of Chronic Truant Adjudication to that  
17 agency for truancy intervention services, and the regional  
18 superintendent or Office of Chronic Truant Adjudication shall  
19 certify that truancy intervention services have not resulted in  
20 the cessation of chronic truancy after referral for truancy  
21 intervention services. The comprehensive community based youth  
22 service agency shall submit reports to the regional  
23 superintendent or the Office of Chronic Truant Adjudication  
24 within 30, 120, and 180 days of the minor's referral, or at any

1 other time requested by a regional superintendent or the Office  
2 of Chronic Truant Adjudication, which reports each shall  
3 certify the date of the minor's referral and the extent of the  
4 minor's progress and participation in truancy intervention  
5 services provided by the comprehensive community based youth  
6 service agency. In addition, if after referral by the regional  
7 superintendent or the Office of Chronic Truant Adjudication,  
8 the minor declines or refuses to fully participate in truancy  
9 intervention services provided by the comprehensive community  
10 based youth service agency, then the agency shall immediately  
11 certify such facts to the regional superintendent or the Office  
12 of Chronic Truant Adjudication.

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" means  
18 a minor subject to compulsory school attendance and who is  
19 absent without valid cause from such attendance for 10% or more  
20 of the previous 180 regular attendance days, and has the  
21 meaning ascribed to it in Section 26-2a of the School Code.

22 (a-4) For purposes of this Section, "truancy intervention  
23 services" means services provided by a comprehensive community  
24 based youth service agency that are designed to assist the  
25 minor's return to an educational program, and includes  
26 assessments, counseling, mental health services, shelter,  
27 tutoring, and educational advocacy.

28 (b) Kinds of dispositional orders. A minor adjudicated  
29 ~~found to be~~ a truant minor in need of supervision may be:

30 (1) committed to the appropriate regional  
31 superintendent of schools for a multi-disciplinary case  
32 staffing, individualized educational plan or service plan,  
33 or referral to comprehensive community-based youth  
34 services;

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

4           (3) ordered to obtain counseling or other supportive  
5 services;

6           (4) subject to a fine in an amount in excess of \$5, but  
7 not exceeding \$100, and each day of absence without valid  
8 cause as defined in Section 26-2a of The School Code is a  
9 separate offense;

10          (5) required to perform some reasonable public service  
11 work such as, but not limited to, the picking up of litter  
12 in public parks or along public highways or the maintenance  
13 of public facilities; or

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

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

25          (c) Orders entered under this Section may be enforced by  
26 contempt proceedings.

27          (Source: P.A. 90-143, eff. 7-23-97; 90-380, eff. 8-14-97;  
28 90-590, eff. 1-1-99; 90-655, eff. 7-30-98.)".