



Rep. Sara Feigenholtz

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1 AMENDMENT TO HOUSE BILL 3628

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3628 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Child Care Act of 1969 is amended by  
5 changing Sections 2, 2.05, 2.08, 4, 7, 8, 11, 11.1, and 12 and  
6 by adding Sections 2.24, 2.25, 7.4, 7.5, 7.6, 7.7, 7.8, 8.3,  
7 8.4, 9.1a, 9.1b, 14.6, and 14.7 as follows:

8 (225 ILCS 10/2) (from Ch. 23, par. 2212)

9 Sec. 2. Terms used in this Act, unless the context  
10 otherwise requires, have the meanings ascribed to them in  
11 Sections 2.01 through 2.25 ~~2.21~~.

12 (Source: P.A. 86-278; 86-386.)

13 (225 ILCS 10/2.05) (from Ch. 23, par. 2212.05)

14 Sec. 2.05. "Facility for child care" or "child care  
15 facility" means any person, group of persons, agency,  
16 association, ~~or~~ organization, corporation, institution,  
17 center, or group, whether established for gain or otherwise,  
18 who or which receives or arranges for care or placement of one  
19 or more children, unrelated to the operator of the facility,  
20 apart from the parents, with or without the transfer of the  
21 right of custody in any facility as defined in this Act,  
22 established and maintained for the care of children. "Child  
23 care facility" includes a relative who is licensed as a foster

1 family home under Section 4 of this Act.

2 (Source: P.A. 89-21, eff. 7-1-95.)

3 (225 ILCS 10/2.08) (from Ch. 23, par. 2212.08)

4 Sec. 2.08.

5 "Child welfare agency" means a public or private child care  
6 facility, receiving any child or children for the purpose of  
7 placing or arranging for the placement or free care of the  
8 child or children in foster family homes, unlicensed  
9 pre-adoptive and adoptive homes, or other facilities for child  
10 care, apart from the custody of the child's or children's  
11 parents. The term "child welfare agency" includes all agencies  
12 established and maintained by a municipality or other political  
13 subdivision of the State of Illinois to protect, guard, train  
14 or care for children outside their own homes and all agencies,  
15 persons, groups of persons, associations, organizations,  
16 corporations, institutions, centers, or groups providing  
17 adoption services, but does not include any circuit court or  
18 duly appointed juvenile probation officer or youth counselor of  
19 the court, who receives and places children under an order of  
20 the court.

21 (Source: P.A. 76-63.)

22 (225 ILCS 10/2.24 new)

23 Sec. 2.24. "Adoption services" includes any one or more of  
24 the following services performed for any type of compensation  
25 or thing of value, directly or indirectly: (i) arranging for  
26 the placement of or placing out a child, (ii) identifying a  
27 child for adoption, (iii) matching adoptive parents with birth  
28 parents, (iv) arranging or facilitating an adoption, (v) taking  
29 or acknowledging consents or surrenders for termination of  
30 parental rights for purposes of adoption, as defined in the  
31 Adoption Act, (vi) performing background studies on a child or  
32 adoptive parents, (vii) making determinations of the best

1 interests of a child and the appropriateness of adoptive  
2 placement for the child, or (viii) post-placement monitoring of  
3 a child prior to adoption. "Adoption services" does not include  
4 the following: (i) the provision of legal services by a  
5 licensed attorney for which the attorney must be licensed as an  
6 attorney under Illinois law, (ii) adoption-related services  
7 performed by public governmental entities or entities or  
8 persons performing investigations by court appointment as  
9 described in subsection A of Section 6 of the Adoption Act,  
10 (iii) prospective adoptive parents operating on their own  
11 behalf, (iv) the provision of general education and training on  
12 adoption-related topics, or (v) post-adoption services,  
13 including supportive services to families to promote the  
14 well-being of members of adoptive families or birth families.

15 (225 ILCS 10/2.25 new)

16 Sec. 2.25. "Unlicensed pre-adoptive and adoptive home"  
17 means any home that is not licensed by the Department as a  
18 foster family home and that receives a child or children for  
19 the purpose of adopting the child or children.

20 (225 ILCS 10/4) (from Ch. 23, par. 2214)

21 Sec. 4. License requirement; application; notice.

22 (a) Any person, group of persons or corporation who or  
23 which receives children or arranges for care or placement of  
24 one or more children unrelated to the operator must apply for a  
25 license to operate one of the types of facilities defined in  
26 Sections 2.05 through 2.19 and in Section 2.22 of this Act. Any  
27 relative who receives a child or children for placement by the  
28 Department on a full-time basis may apply for a license to  
29 operate a foster family home as defined in Section 2.17 of this  
30 Act.

31 (a-5) Any agency, person, group of persons, association,  
32 organization, corporation, institution, center, or group

1 providing adoption services must be licensed by the Department  
2 as a child welfare agency as defined in Section 2.08 of this  
3 Act. "Providing adoption services" as used in this Act,  
4 includes facilitating or engaging in adoption services.

5 (b) Application for a license to operate a child care  
6 facility must be made to the Department in the manner and on  
7 forms prescribed by it. An application to operate a foster  
8 family home shall include, at a minimum: a completed written  
9 form; written authorization by the applicant and all adult  
10 members of the applicant's household to conduct a criminal  
11 background investigation; medical evidence in the form of a  
12 medical report, on forms prescribed by the Department, that the  
13 applicant and all members of the household are free from  
14 communicable diseases or physical and mental conditions that  
15 affect their ability to provide care for the child or children;  
16 the names and addresses of at least 3 persons not related to  
17 the applicant who can attest to the applicant's moral  
18 character; and fingerprints submitted by the applicant and all  
19 adult members of the applicant's household.

20 (c) The Department shall notify the public when a child  
21 care institution, maternity center, or group home licensed by  
22 the Department undergoes a change in (i) the range of care or  
23 services offered at the facility, (ii) the age or type of  
24 children served, or (iii) the area within the facility used by  
25 children. The Department shall notify the public of the change  
26 in a newspaper of general circulation in the county or  
27 municipality in which the applicant's facility is or is  
28 proposed to be located.

29 (d) If, upon examination of the facility and investigation  
30 of persons responsible for care of children, the Department is  
31 satisfied that the facility and responsible persons reasonably  
32 meet standards prescribed for the type of facility for which  
33 application is made, it shall issue a license in proper form,  
34 designating on that license the type of child care facility

1 and, except for a child welfare agency, the number of children  
2 to be served at any one time.

3 (e) The Department shall not issue or renew the license of  
4 any child welfare agency providing adoption services, unless  
5 the agency (i) is officially recognized by the United States  
6 Internal Revenue Service as a tax-exempt organization  
7 described in Section 501(c)(3) of the Internal Revenue Code of  
8 1986 (or any successor provision of federal tax law) and (ii)  
9 is in compliance with all of the standards necessary to  
10 maintain its status as an organization described in Section  
11 501(c)(3) of the Internal Revenue Code of 1986 (or any  
12 successor provision of federal tax law). The Department shall  
13 grant a grace period of 24 months from the effective date of  
14 this amendatory Act of the 94th General Assembly for existing  
15 child welfare agencies providing adoption services to obtain  
16 501(c)(3) status. The Department shall permit an existing child  
17 welfare agency that converts from its current structure in  
18 order to be recognized as a 501(c)(3) organization as required  
19 by this Section to either retain its current license or  
20 transfer its current license to a newly formed entity, if the  
21 creation of a new entity is required in order to comply with  
22 this Section, provided that the child welfare agency  
23 demonstrates that it continues to meet all other licensing  
24 requirements and that the principal officers and directors and  
25 programs of the converted child welfare agency or newly  
26 organized child welfare agency are substantially the same as  
27 the original.

28 (Source: P.A. 89-21, eff. 7-1-95; 90-90, eff. 7-11-97; 90-608,  
29 eff. 6-30-98.)

30 (225 ILCS 10/7) (from Ch. 23, par. 2217)

31 Sec. 7. (a) The Department must prescribe and publish  
32 minimum standards for licensing that apply to the various types  
33 of facilities for child care defined in this Act and that are

1 equally applicable to like institutions under the control of  
2 the Department and to foster family homes used by and under the  
3 direct supervision of the Department. The Department shall seek  
4 the advice and assistance of persons representative of the  
5 various types of child care facilities in establishing such  
6 standards. The standards prescribed and published under this  
7 Act take effect as provided in the Illinois Administrative  
8 Procedure Act, and are restricted to regulations pertaining to  
9 the following matters and to any rules and regulations required  
10 or permitted by any other Section of this Act:

11 (1) The operation and conduct of the facility and  
12 responsibility it assumes for child care;

13 (2) The character, suitability and qualifications of  
14 the applicant and other persons directly responsible for  
15 the care and welfare of children served. All child day care  
16 center licensees and employees who are required to report  
17 child abuse or neglect under the Abused and Neglected Child  
18 Reporting Act shall be required to attend training on  
19 recognizing child abuse and neglect, as prescribed by  
20 Department rules;

21 (3) The general financial ability and competence of the  
22 applicant to provide necessary care for children and to  
23 maintain prescribed standards;

24 (4) The number of individuals or staff required to  
25 insure adequate supervision and care of the children  
26 received. The standards shall provide that each child care  
27 institution, maternity center, day care center, group  
28 home, day care home, and group day care home shall have on  
29 its premises during its hours of operation at least one  
30 staff member certified in first aid, in the Heimlich  
31 maneuver and in cardiopulmonary resuscitation by the  
32 American Red Cross or other organization approved by rule  
33 of the Department. Child welfare agencies shall not be  
34 subject to such a staffing requirement. The Department may

1 offer, or arrange for the offering, on a periodic basis in  
2 each community in this State in cooperation with the  
3 American Red Cross, the American Heart Association or other  
4 appropriate organization, voluntary programs to train  
5 operators of foster family homes and day care homes in  
6 first aid and cardiopulmonary resuscitation;

7 (5) The appropriateness, safety, cleanliness and  
8 general adequacy of the premises, including maintenance of  
9 adequate fire prevention and health standards conforming  
10 to State laws and municipal codes to provide for the  
11 physical comfort, care and well-being of children  
12 received;

13 (6) Provisions for food, clothing, educational  
14 opportunities, program, equipment and individual supplies  
15 to assure the healthy physical, mental and spiritual  
16 development of children served;

17 (7) Provisions to safeguard the legal rights of  
18 children served;

19 (8) Maintenance of records pertaining to the  
20 admission, progress, health and discharge of children,  
21 including, for day care centers and day care homes, records  
22 indicating each child has been immunized as required by  
23 State regulations. The Department shall require proof that  
24 children enrolled in a facility have been immunized against  
25 Haemophilus Influenzae B (HIB);

26 (9) Filing of reports with the Department;

27 (10) Discipline of children;

28 (11) Protection and fostering of the particular  
29 religious faith of the children served;

30 (12) Provisions prohibiting firearms on day care  
31 center premises except in the possession of peace officers;

32 (13) Provisions prohibiting handguns on day care home  
33 premises except in the possession of peace officers or  
34 other adults who must possess a handgun as a condition of

1 employment and who reside on the premises of a day care  
2 home;

3 (14) Provisions requiring that any firearm permitted  
4 on day care home premises, except handguns in the  
5 possession of peace officers, shall be kept in a  
6 disassembled state, without ammunition, in locked storage,  
7 inaccessible to children and that ammunition permitted on  
8 day care home premises shall be kept in locked storage  
9 separate from that of disassembled firearms, inaccessible  
10 to children;

11 (15) Provisions requiring notification of parents or  
12 guardians enrolling children at a day care home of the  
13 presence in the day care home of any firearms and  
14 ammunition and of the arrangements for the separate, locked  
15 storage of such firearms and ammunition.

16 (b) If, in a facility for general child care, there are  
17 children diagnosed as mentally ill, mentally retarded or  
18 physically handicapped, who are determined to be in need of  
19 special mental treatment or of nursing care, or both mental  
20 treatment and nursing care, the Department shall seek the  
21 advice and recommendation of the Department of Human Services,  
22 the Department of Public Health, or both Departments regarding  
23 the residential treatment and nursing care provided by the  
24 institution.

25 (c) The Department shall investigate any person applying to  
26 be licensed as a foster parent to determine whether there is  
27 any evidence of current drug or alcohol abuse in the  
28 prospective foster family. The Department shall not license a  
29 person as a foster parent if drug or alcohol abuse has been  
30 identified in the foster family or if a reasonable suspicion of  
31 such abuse exists, except that the Department may grant a  
32 foster parent license to an applicant identified with an  
33 alcohol or drug problem if the applicant has successfully  
34 participated in an alcohol or drug treatment program, self-help

1 group, or other suitable activities.

2 (d) The Department, in applying standards prescribed and  
3 published, as herein provided, shall offer consultation  
4 through employed staff or other qualified persons to assist  
5 applicants and licensees in meeting and maintaining minimum  
6 requirements for a license and to help them otherwise to  
7 achieve programs of excellence related to the care of children  
8 served. Such consultation shall include providing information  
9 concerning education and training in early childhood  
10 development to providers of day care home services. The  
11 Department may provide or arrange for such education and  
12 training for those providers who request such assistance.

13 (e) The Department shall distribute copies of licensing  
14 standards to all licensees and applicants for a license. Each  
15 licensee or holder of a permit shall distribute copies of the  
16 appropriate licensing standards and any other information  
17 required by the Department to child care facilities under its  
18 supervision. Each licensee or holder of a permit shall maintain  
19 appropriate documentation of the distribution of the  
20 standards. Such documentation shall be part of the records of  
21 the facility and subject to inspection by authorized  
22 representatives of the Department.

23 (f) The Department shall prepare summaries of day care  
24 licensing standards. Each licensee or holder of a permit for a  
25 day care facility shall distribute a copy of the appropriate  
26 summary and any other information required by the Department,  
27 to the legal guardian of each child cared for in that facility  
28 at the time when the child is enrolled or initially placed in  
29 the facility. The licensee or holder of a permit for a day care  
30 facility shall secure appropriate documentation of the  
31 distribution of the summary and brochure. Such documentation  
32 shall be a part of the records of the facility and subject to  
33 inspection by an authorized representative of the Department.

34 (g) The Department shall distribute to each licensee and

1 holder of a permit copies of the licensing or permit standards  
2 applicable to such person's facility. Each licensee or holder  
3 of a permit shall make available by posting at all times in a  
4 common or otherwise accessible area a complete and current set  
5 of licensing standards in order that all employees of the  
6 facility may have unrestricted access to such standards. All  
7 employees of the facility shall have reviewed the standards and  
8 any subsequent changes. Each licensee or holder of a permit  
9 shall maintain appropriate documentation of the current review  
10 of licensing standards by all employees. Such records shall be  
11 part of the records of the facility and subject to inspection  
12 by authorized representatives of the Department.

13 (h) Any standards involving physical examinations,  
14 immunization, or medical treatment shall include appropriate  
15 exemptions for children whose parents object thereto on the  
16 grounds that they conflict with the tenets and practices of a  
17 recognized church or religious organization, of which the  
18 parent is an adherent or member, and for children who should  
19 not be subjected to immunization for clinical reasons.

20 (Source: P.A. 89-274, eff. 1-1-96; 89-507, eff. 7-1-97; 89-648,  
21 eff. 8-9-96; 90-14, eff. 7-1-97.)

22 (225 ILCS 10/7.4 new)

23 Sec. 7.4. Disclosures.

24 (a) Every child welfare agency providing adoption services  
25 and licensed by the Department shall provide to all prospective  
26 clients and to the public written disclosures with respect to  
27 its adoption services, policies, and practices, including  
28 general eligibility criteria, fees, and the mutual rights and  
29 responsibilities of clients, including birth parents and  
30 adoptive parents. The written disclosure shall be posted on any  
31 website maintained by the child welfare agency that relates to  
32 adoption services. The Department shall adopt rules relating to  
33 the contents of the written disclosures.

1       (b) Every licensed child welfare agency providing adoption  
2 services shall provide to all applicants, prior to application,  
3 a written schedule of estimated fees, expenses, and refund  
4 policies. Every child welfare agency providing adoption  
5 services shall have a written policy that shall be part of its  
6 standard adoption contract and state that it will not charge  
7 additional fees and expenses beyond those disclosed in the  
8 adoption contract unless additional fees are reasonably  
9 required by the circumstances and are disclosed to the adoptive  
10 parents or parent before they are incurred. The Department  
11 shall adopt rules relating to the contents of the written  
12 schedule and policy.

13       (c) Every licensed child welfare agency providing adoption  
14 services must make full and fair disclosure to its clients,  
15 including birth parents and adoptive parents, of all  
16 circumstances material to the placement of a child for  
17 adoption. The Department shall adopt rules necessary for the  
18 implementation and regulation of the requirements of this  
19 subsection (c).

20       (d) Every licensed child welfare agency providing adoption  
21 services shall meet minimum standards set forth by the  
22 Department prior to taking or acknowledging a consent from a  
23 prospective birth parent. The Department shall adopt rules  
24 concerning the minimum standards required by agencies under  
25 this Section.

26       (225 ILCS 10/7.5 new)

27       Sec. 7.5. Adoptive parent training program. Every licensed  
28 child welfare agency providing adoption services shall provide  
29 prospective adoptive parents with a training program that  
30 includes counseling and guidance for the purpose of promoting a  
31 successful adoption in conjunction with placing a child for  
32 adoption with the prospective adoptive parents and which must  
33 be completed to the satisfaction of the licensed child welfare

1 agency prior to the finalization of the adoption. The training  
2 may be provided by an agent or independent contractor of the  
3 child welfare agency or by a Department-approved training  
4 individual or entity. The Department shall adopt rules  
5 concerning minimum hours, content, and agency documentation of  
6 the training and rules concerning the approval of individuals  
7 or entities conducting training under this Section.

8 (225 ILCS 10/7.6 new)

9 Sec. 7.6. Annual report. Every licensed child welfare  
10 agency providing adoption services shall file an annual report  
11 with the Department and with the Attorney General on forms and  
12 on a date prescribed by the Department. The annual report shall  
13 be made available to the public by the Department and by the  
14 agency. The annual report shall include all of the following  
15 matters and all other matters required by the Department:

16 (1) A balance sheet and a statement of income and  
17 expenses for the year, certified by an independent public  
18 accountant;

19 (2) Non-identifying information concerning the  
20 placements made by the agency during the year, consisting  
21 of the number of adoptive families in the process of  
22 obtaining a foster family license, the number of adoptive  
23 families that are licensed and awaiting placement, the  
24 number of biological parents that the agency is actively  
25 working with, the number of placements, and the number of  
26 adoptions initiated during the year and the status of each  
27 matter at the end of the year;

28 (3) Any instance during the year in which the agency  
29 lost the right to provide adoption services in any State or  
30 country, had its license suspended for cause, or was the  
31 subject of other sanctions by any court, governmental  
32 agency, or governmental regulatory body relating to the  
33 provision of adoption services;

1           (4) Any actions related to licensure that were  
2           initiated against the agency during the year by a licensing  
3           or accrediting body;

4           (5) Any pending investigations by federal or State  
5           authorities;

6           (6) Any criminal charges, child abuse charges,  
7           malpractice complaints, or lawsuits against the agency or  
8           any of its employees, officers, or directors related to the  
9           provision of adoption services and the basis or disposition  
10           of the actions;

11           (7) Any instance in the year where the agency was found  
12           guilty of, or pled guilty to, any criminal or civil or  
13           administrative violation under federal, State, or foreign  
14           law that relates to the provision of adoption services;

15           (8) Any instance in the year where any employee,  
16           officer, or director of the agency was found guilty of any  
17           crime or was determined to have violated a civil law or  
18           administrative rule under federal, State, or foreign law  
19           relating to the provision of adoption services; and

20           (9) Any civil or administrative proceeding instituted  
21           by the agency during the year and relating to adoption  
22           services, excluding uncontested adoption proceedings.

23           Failure to disclose information required under this  
24           Section may result in the suspension of the agency's license  
25           for a period of 90 days. Subsequent violations may result in  
26           revocation of the license.

27           Information disclosed in accordance with this Section  
28           shall be subject to the applicable confidentiality  
29           requirements of this Act and the Adoption Act.

30           (225 ILCS 10/7.7 new)

31           Sec. 7.7. Certain waivers prohibited. Licensed child  
32           welfare agencies providing adoption services shall not require  
33           biological or adoptive parents to sign any document that

1 purports to waive claims against an agency for intentional or  
2 reckless acts or omissions or for gross negligence. Nothing in  
3 this Section shall require an agency to assume risks that are  
4 not within the reasonable control of the agency.

5 (225 ILCS 10/7.8 new)

6 Sec. 7.8. Preferential treatment in child placement  
7 prohibited. No licensed child welfare agency providing  
8 adoption services shall give preferential treatment to its  
9 board members, contributors, volunteers, employees, agents,  
10 consultants, or independent contractors or to their relatives  
11 with respect to the placement of a child or any matters  
12 relating to adoption services. The Department shall define  
13 "preferential treatment" by rule and shall adopt any rules  
14 necessary to implement this Section.

15 (225 ILCS 10/8) (from Ch. 23, par. 2218)

16 Sec. 8. The Department may revoke or refuse to renew the  
17 license of any child care facility or child welfare agency or  
18 refuse to issue full license to the holder of a permit should  
19 the licensee or holder of a permit:

20 (1) fail to maintain standards prescribed and published by  
21 the Department;

22 (2) violate any of the provisions of the license issued;

23 (3) furnish or make any misleading or any false statement  
24 or report to the Department;

25 (4) refuse to submit to the Department any reports or  
26 refuse to make available to the Department any records required  
27 by the Department in making investigation of the facility for  
28 licensing purposes;

29 (5) fail or refuse to submit to an investigation by the  
30 Department;

31 (6) fail or refuse to admit authorized representatives of  
32 the Department at any reasonable time for the purpose of

1 investigation;

2 (7) fail to provide, maintain, equip and keep in safe and  
3 sanitary condition premises established or used for child care  
4 as required under standards prescribed by the Department, or as  
5 otherwise required by any law, regulation or ordinance  
6 applicable to the location of such facility;

7 (8) refuse to display its license or permit;

8 (9) be the subject of an indicated report under Section 3  
9 of the Abused and Neglected Child Reporting Act or fail to  
10 discharge or sever affiliation with the child care facility of  
11 an employee or volunteer at the facility with direct contact  
12 with children who is the subject of an indicated report under  
13 Section 3 of that Act;

14 (10) fail to comply with the provisions of Section 7.1;

15 (11) fail to exercise reasonable care in the hiring,  
16 training and supervision of facility personnel;

17 (12) fail to report suspected abuse or neglect of children  
18 within the facility, as required by the Abused and Neglected  
19 Child Reporting Act;

20 (13) fail to comply with Section 5.1 or 5.2 of this Act; or

21 (14) be identified in an investigation by the Department as  
22 an addict or alcoholic, as defined in the Alcoholism and Other  
23 Drug Abuse and Dependency Act, or be a person whom the  
24 Department knows has abused alcohol or drugs, and has not  
25 successfully participated in treatment, self-help groups or  
26 other suitable activities, and the Department determines that  
27 because of such abuse the licensee, holder of the permit, or  
28 any other person directly responsible for the care and welfare  
29 of the children served, does not comply with standards relating  
30 to character, suitability or other qualifications established  
31 under Section 7 of this Act.

32 (Source: P.A. 91-357, eff. 7-29-99; 91-413, eff. 1-1-00.)

33 (225 ILCS 10/8.3 new)

1       Sec. 8.3. Tax exempt agency. The Department shall revoke  
2 or refuse to renew the license of any child welfare agency  
3 providing adoption services that is not (i) officially  
4 recognized by the United States Internal Revenue Service as a  
5 tax-exempt organization described in Section 501(c)(3) of the  
6 Internal Revenue Code of 1986 (or any successor provision of  
7 federal tax law) and (ii) in compliance with all of the  
8 standards necessary to maintain its status as an organization  
9 described in Section 501(c)(3) of the Internal Revenue Code of  
10 1986 (or any successor provision of federal tax law). The  
11 Department shall grant a grace period of 24 months from the  
12 effective date of this amendatory Act of the 94th General  
13 Assembly for existing child welfare agencies providing  
14 adoption services to obtain 501(c)(3) status. The Department  
15 shall permit an existing child welfare agency that converts  
16 from its current structure in order to be recognized as a  
17 501(c)(3) organization as required by this Section to either  
18 retain its current license or transfer its current license to a  
19 newly formed entity, if the creation of a new entity is  
20 required in order to comply with this Section, provided that  
21 the child welfare agency demonstrates that it continues to meet  
22 all other licensing requirements and that the principal  
23 officers and directors and programs of the converted child  
24 welfare agency or newly organized child welfare agency are  
25 substantially the same as the original.

26       (225 ILCS 10/8.4 new)

27       Sec. 8.4. Cessation or dissolution of an agency. In the  
28 event that a licensed child welfare agency ceases to exist or  
29 dissolves its corporate entity, or ceases to provide adoption  
30 services as defined in this Act, all records pertaining to  
31 adoption services, as that term is defined in Section 2.24 of  
32 this Act, shall be forwarded to the Department within 30 days  
33 after such cessation or dissolution.

1 (225 ILCS 10/9.1a new)

2 Sec. 9.1a. Complaint registry.

3 (a) The Department shall establish a complaint registry to  
4 assist in the monitoring of licensed child welfare agencies  
5 providing adoption services, which shall record and track the  
6 resolution and disposition of substantiated licensing  
7 violations.

8 (b) The Department shall establish and maintain a statewide  
9 toll-free telephone number and post information on its website  
10 where the public can access information contained in the  
11 complaint registry, as it pertains to the past history and  
12 record of any licensed child welfare agency providing adoption  
13 services. This information shall include, but shall not be  
14 limited to, Department substantiated licensing complaints  
15 against a child welfare agency providing adoption services and  
16 Department findings of any license violations against a child  
17 welfare agency providing adoption services.

18 (c) Information disclosed in accordance with this Section  
19 shall be subject to the applicable confidentiality  
20 requirements of this Act and the Adoption Act.

21 (225 ILCS 10/9.1b new)

22 Sec. 9.1b. Complaint procedures. All child welfare  
23 agencies providing adoption services shall be required by the  
24 Department to have complaint policies and procedures that shall  
25 be provided in writing to their prospective clients, including  
26 biological parents, adoptive parents, and adoptees that they  
27 have served, at the earliest time possible, and, in the case of  
28 biological and adoptive parents, prior to placement or prior to  
29 entering into any written contract with the clients. These  
30 complaint procedures must be filed with the Department within 6  
31 months after the effective date of this amendatory Act of the  
32 94th General Assembly. Failure to comply with this Section may

1 result in the suspension of licensure for a period of 90 days.  
2 Subsequent violations may result in licensure revocation. The  
3 Department shall adopt rules that describe the complaint  
4 procedures required by each agency. These rules shall include  
5 without limitation prompt complaint response time, recording  
6 of the complaints, prohibition of agency retaliation against  
7 the person making the complaint, and agency reporting of all  
8 complaints to the Department in a timely manner. Any agency  
9 that maintains a website shall post the prescribed complaint  
10 procedures and its license number, as well as the statewide  
11 toll-free complaint registry telephone number, on its website.

12 (225 ILCS 10/11) (from Ch. 23, par. 2221)

13 Sec. 11. Whenever the Department is advised, or has reason  
14 to believe, that any person, group of persons or corporation is  
15 operating a child welfare agency or a child care facility  
16 without a license or permit, it shall make an investigation to  
17 ascertain the facts. If the Department is denied access, it  
18 shall request intervention of local, county or State law  
19 enforcement agencies to seek an appropriate court order or  
20 warrant to examine the premises. A person or entity preventing  
21 the Department from carrying out its duties under this Section  
22 shall be guilty of a violation of this Act and shall be subject  
23 to such penalties related thereto. If it finds that the child  
24 welfare agency or child care facility is being, or has been  
25 operated without a license or permit, it shall report the  
26 results of its investigation to the Attorney General, and to  
27 the appropriate State's Attorney for investigation and, if  
28 appropriate, prosecution.

29 Operating a child welfare agency or child care facility  
30 without a license constitutes a Class A misdemeanor, followed  
31 by a business offense, if the operator continues to operate the  
32 facility and no effort is made to obtain a license. The  
33 business offense fine shall not exceed \$10,000 and each day of

1 a violation is a separate offense.

2 (Source: P.A. 85-215.)

3 (225 ILCS 10/11.1) (from Ch. 23, par. 2221.1)

4 Sec. 11.1. If the Department has reasonable cause to  
5 believe ~~Upon request of the Director, the Attorney General or~~  
6 ~~the State's Attorney of the county in which the violation~~  
7 ~~occurred, shall initiate injunction proceedings whenever it~~  
8 ~~appears~~ that any person, group of persons, ~~or~~ corporation,  
9 agency, association, organization, institution, center, or  
10 group is engaged or about to engage in any acts or practices  
11 that ~~which~~ constitute or will constitute a violation of this  
12 Act or any rule or regulation prescribed under authority  
13 thereof, the Department shall inform the Attorney General or  
14 the State's Attorney of the appropriate county, who may  
15 initiate the appropriate civil or criminal proceedings. Upon a  
16 proper showing, any circuit court may enter a permanent or  
17 preliminary injunction or temporary restraining order without  
18 bond to enforce this Act or any rule or regulation prescribed  
19 thereunder in addition to the penalties and other remedies  
20 provided in this Act.

21 (Source: P.A. 84-548.)

22 (225 ILCS 10/12) (from Ch. 23, par. 2222)

23 Sec. 12. Advertisements.

24 (a) In this Section, "advertise" means communication by any  
25 public medium originating or distributed in this State,  
26 including, but not limited to, newspapers, periodicals,  
27 telephone book listings, outdoor advertising signs, radio, or  
28 television.

29 (b) A child care facility or child welfare agency licensed  
30 or operating under a permit issued by the Department may  
31 publish advertisements for the services that the facility is  
32 specifically licensed or issued a permit under this Act to

1 provide. No person, group of persons, agency, association,  
2 organization, corporation, institution, center, or group,  
3 unless licensed or operating under a permit issued by the  
4 Department as a child care facility or child welfare agency,  
5 may advertise or cause to be published any advertisement  
6 offering, soliciting, or promising to perform adoption  
7 services as defined in Section 2.24 of this Act.

8 (c) Every advertisement under this Section shall include  
9 the Department-issued license number of the facility or agency.

10 (d) Any licensed child welfare agency providing adoption  
11 services that causes to be published an advertisement  
12 containing misrepresentations concerning adoption services or  
13 circumstances material to the placement of a child for adoption  
14 is guilty of a Class A misdemeanor and shall be subject to a  
15 fine not to exceed \$10,000 and 9 months imprisonment for each  
16 advertisement.

17 (e) This Section does not apply to a biological parent or a  
18 prospective adoptive parent acting on his or her own behalf.

19 (f) This Section does not apply to a licensed attorney  
20 advertising his or her availability to provide legal services  
21 relating to adoption, as permitted by law.

22 (g) An out-of-state agency that has a written interagency  
23 agreement with one or more Illinois licensed child welfare  
24 agencies, may advertise under this Section provided that (i)  
25 the out-of-state agency must be officially recognized by the  
26 United States Internal Revenue Service as a tax-exempt  
27 organization under 501(c)3 of the Internal Revenue Code of 1986  
28 (or any successor provision of federal tax law), (ii) the  
29 out-of-state agency only provides international adoption  
30 services and is covered by the Intercountry Adoption Act of  
31 2000, (iii) the out-of-state agency displays, in the  
32 advertisement, the license number of at least one of the  
33 Illinois licensed child welfare agencies with which it has a  
34 written agreement, and (iv) the advertisements pertain only to

1 international adoption services. Subsection (d) of this  
2 Section applies to advertisements placed by any international  
3 out-of-state adoption agencies. A child care facility licensed  
4 or operating under a permit issued by the Department may  
5 publish advertisements of the services for which it is  
6 specifically licensed or issued a permit under this Act. No  
7 person, unless licensed or holding a permit as a child care  
8 facility, may cause to be published any advertisement  
9 soliciting a child or children for care or placement or  
10 offering a child or children for care or placement.

11 (Source: P.A. 76-63.)

12 (225 ILCS 10/14.6 new)

13 Sec. 14.6. Agency payment of salaries or other  
14 compensation.

15 (a) A licensed child welfare agency may pay salaries or  
16 other compensation to its officers, employees, agents,  
17 contractors, or any other persons acting on its behalf for  
18 providing adoption services, provided that all of the following  
19 limitations apply:

20 (1) The fees, wages, salaries, or other compensation of  
21 any description paid to the officers, employees,  
22 contractors, or any other person acting on behalf of a  
23 child welfare agency providing adoption services shall not  
24 be unreasonably high in relation to the services actually  
25 rendered. Every form of compensation shall be taken into  
26 account in determining whether fees, wages, salaries, or  
27 compensation are unreasonably high, including, but not  
28 limited to, salary, bonuses, deferred and non-cash  
29 compensation, retirement funds, medical and liability  
30 insurance, loans, and other benefits such as the use,  
31 purchase, or lease of vehicles, expense accounts, and food,  
32 housing, and clothing allowances.

33 (2) Any earnings, if applicable, or compensation paid

1 to the child welfare agency's directors, stockholders, or  
2 members of its governing body shall not be unreasonably  
3 high in relation to the services rendered.

4 (3) Persons providing adoption services for a child  
5 welfare agency may be compensated only for services  
6 actually rendered and only on a fee-for-service, hourly  
7 wage, or salary basis.

8 (b) The Department may adopt rules setting forth the  
9 criteria to determine what constitutes unreasonably high fees  
10 and compensation as those terms are used in this Section. In  
11 determining the reasonableness of fees, wages, salaries, and  
12 compensation under paragraphs (1) and (2) of subsection (a) of  
13 this Section, the Department shall take into account the  
14 location, number, and qualifications of staff, workload  
15 requirements, budget, and size of the agency or person, and  
16 available norms for compensation within the adoption  
17 community. Every licensed child welfare agency providing  
18 adoption services shall provide the Department and the Attorney  
19 General with a report, on an annual basis, providing a  
20 description of the fees, wages, salaries and other compensation  
21 described in paragraphs (1), (2), and (3) of this Section.  
22 Nothing in the Adoption Compensation Prohibition Act shall be  
23 construed to prevent a child welfare agency from charging fees  
24 or the payment of salaries and compensation as limited in this  
25 Section and any applicable Section of this Act or the Adoption  
26 Act.

27 (c) This Section does not apply to international adoption  
28 services performed by those child welfare agencies governed by  
29 the 1993 Hague Convention on Protection of Children and  
30 Cooperation in Respect of Intercountry Adoption and the  
31 Intercountry Adoption Act of 2000.

32 (225 ILCS 10/14.7 new)

33 Sec. 14.7. Payments to biological parents.

1       (a) Payment of reasonable living expenses in accordance  
2 with the Adoption Compensation Prohibition Act of the  
3 biological parents and the child they are considering placing  
4 for adoption by a child welfare agency shall not obligate the  
5 biological parents to place the child for adoption. In the  
6 event that the biological parents choose not to place the child  
7 for adoption, the child welfare agency shall have no right to  
8 seek reimbursement from the biological parents, or from any  
9 relative of the biological parents, of moneys paid to, or on  
10 behalf of, the biological parents, except as provided in  
11 subsection (b) of this Section.

12       (b) Notwithstanding subsection (a) of this Section, a child  
13 welfare agency may seek reimbursement of reasonable living  
14 expenses from a person who receives such payments only if the  
15 person who accepts payment of reasonable living expenses as  
16 described in subsection (a) of this Section knows that the  
17 person on whose behalf they are accepting payment is not  
18 pregnant at the time of the receipt of such payments or the  
19 person receives reimbursement for reasonable living expenses  
20 simultaneously from more than one child welfare agency without  
21 the agencies' knowledge.

22       Section 10. The Adoption Compensation Prohibition Act is  
23 amended by changing Sections 1, 2, 3, 4, and 4.1 and by adding  
24 Section 4.9 as follows:

25       (720 ILCS 525/1) (from Ch. 40, par. 1701)

26       Sec. 1. No person and no agency, association, corporation,  
27 institution, society, or other organization, except a child  
28 welfare agency as defined by the Child Care Act of 1969, as now  
29 or hereafter amended, shall request, receive or accept any  
30 compensation or thing of value, directly or indirectly, for  
31 providing adoption services, as defined in Section 2.24 of the  
32 Child Care Act of 1969 ~~placing out of a child.~~

1 (Source: P.A. 86-820.)

2 (720 ILCS 525/2) (from Ch. 40, par. 1702)

3 Sec. 2. No person shall pay or give any compensation or  
4 thing of value, directly or indirectly, for providing adoption  
5 services, as defined in Section 2.24 of the Child Care Act of  
6 1969, including placing out of a child to any person or to any  
7 agency, association, corporation, institution, society, or  
8 other organization except a child welfare agency as defined by  
9 the Child Care Act of 1969, as now or hereafter amended.

10 (Source: P.A. 86-820.)

11 (720 ILCS 525/3) (from Ch. 40, par. 1703)

12 Sec. 3. Definitions. As used in this Act: ~~the term~~

13 "Placing ~~placing~~ out" means to arrange for the free care or  
14 placement of a child in a family other than that of the child's  
15 parent, stepparent, grandparent, brother, sister, uncle or  
16 aunt or legal guardian, for the purpose of adoption or for the  
17 purpose of providing care.

18 "Adoption services" has the meaning given that term in the  
19 Child Care Act of 1969.

20 (Source: Laws 1955, p. 1881.)

21 (720 ILCS 525/4) (from Ch. 40, par. 1704)

22 Sec. 4. The provisions of this Act shall not be construed  
23 to prevent the payment of salaries or other compensation by a  
24 licensed child welfare agency providing adoption services, as  
25 that term is defined by the Child Care Act of 1969, as now or  
26 hereafter amended, to the officers, ~~or~~ employees, agents,  
27 contractors, or any other persons acting on behalf of the child  
28 welfare agency, provided that such salaries and compensation  
29 are consistent with subsection (a) of Section 14.5 of the Child  
30 Care Act of 1969.

31 The provisions of this Act shall not ~~thereof; nor shall it~~

1 be construed to prevent the payment by a person with whom a  
2 child has been placed for adoption ~~out~~ of reasonable and actual  
3 medical fees or hospital charges for services rendered in  
4 connection with the birth of such child, if such payment is  
5 made to the physician or hospital who or which rendered the  
6 services or to the biological ~~natural~~ mother of the child or to  
7 prevent the receipt of such payment by such physician,  
8 hospital, or mother.

9 (Source: P.A. 86-820.)

10 (720 ILCS 525/4.1) (from Ch. 40, par. 1704.1)

11 (Text of Section after amendment by P.A. 93-1063)

12 Sec. 4.1. Payment of certain expenses.

13 (a) A person or persons who have filed or intend to file a  
14 petition to adopt a child under the Adoption Act shall be  
15 permitted to pay the reasonable living expenses of the  
16 biological parents of the child sought to be adopted, in  
17 addition to those expenses set forth in Section 4, only in  
18 accordance with the provisions of this Section.

19 "Reasonable living expenses" means those expenses related  
20 to activities of daily living and meeting basic needs,  
21 including, but not limited to, the reasonable costs of lodging,  
22 food, and clothing for the biological parents during ~~the period~~  
23 ~~of~~ the biological mother's pregnancy and for no more than 120  
24 days prior to the biological mother's expected date of delivery  
25 and for no more than 60 ~~30~~ days after the birth of the child.  
26 The term does not include expenses for lost wages, gifts,  
27 educational expenses, or other similar expenses of the  
28 biological parents.

29 (b) The petitioners may seek leave of the court to pay the  
30 reasonable living expenses of the biological parents. They  
31 shall be permitted to pay the reasonable living expenses of the  
32 biological parents only upon prior order of the circuit court  
33 where the petition for adoption will be filed, or if the

1 petition for adoption has been filed in the circuit court where  
2 the petition is pending.

3 (c) Payments under this Section shall be permitted only in  
4 those circumstances where there is a demonstrated need for the  
5 payment of such expenses to protect the health of the  
6 biological parents or the health of the child sought to be  
7 adopted.

8 (d) Payment of their reasonable living expenses, as  
9 provided in this Section, shall not obligate the biological  
10 parents to place the child for adoption. In the event the  
11 biological parents choose not to place the child for adoption,  
12 the petitioners shall have no right to seek reimbursement from  
13 the biological parents, or from any relative or associate of  
14 the biological parents, of moneys paid to, or on behalf of, the  
15 biological parents pursuant to a court order under this  
16 Section.

17 (d-5) No person or entity shall offer, provide, or co-sign  
18 a loan or any other credit accommodation, directly or  
19 indirectly, with a biological parent or a relative or associate  
20 of a biological parent based on the contingency of a surrender  
21 or placement of a child for adoption.

22 (e) Within 14 days after the completion of all payments for  
23 reasonable living expenses of the biological parents under this  
24 Section, the petitioners shall present a final accounting of  
25 all those expenses to the court. The accounting shall include  
26 vouchers for all moneys expended, copies of all checks written,  
27 and receipts for all cash payments. The accounting shall also  
28 include the verified statements of the petitioners, each  
29 attorney of record, and the biological parents or parents to  
30 whom or on whose behalf the payments were made attesting to the  
31 accuracy of the accounting.

32 (f) If the placement of a child for adoption is made in  
33 accordance with the Interstate Compact on the Placement of  
34 Children, and if the sending state permits the payment of any

1 expenses of biological parents that are not permitted under  
2 this Act, then the payment of those expenses shall not be a  
3 violation of this Act. In that event, the petitioners shall  
4 file an accounting of all payments of the expenses of the  
5 biological parent or parents with the court in which the  
6 petition for adoption is filed or is to be filed. The  
7 accounting shall include a copy of the statutory provisions of  
8 the sending state that permit payments in addition to those  
9 permitted by this Act and a copy of all orders entered in the  
10 sending state that relate to expenses of the biological parents  
11 paid by the petitioners in the sending state.

12 (g) The petitioners shall be permitted to pay the  
13 reasonable attorney's fees of the biological parents' attorney  
14 in connection with proceedings under this Act or in connection  
15 with proceedings for the adoption of the child. The attorney's  
16 fees shall be paid only after a petition seeking leave to pay  
17 those fees is filed with the court in which the adoption  
18 proceeding is filed or to be filed. The court shall review the  
19 petition for leave to pay attorney's fees, and if the court  
20 determines that the fees requested are reasonable, the court  
21 shall permit the petitioners to pay them. If the court  
22 determines that the fees requested are not reasonable, the  
23 court shall determine and set the reasonable attorney's fees of  
24 the biological parents' attorney which may be paid by the  
25 petitioners.

26 (h) The court may appoint a guardian ad litem for an unborn  
27 child to represent the interests of the child in proceedings  
28 under this Section.

29 (i) The provisions of this Section apply to a person who  
30 has filed or intends to file a petition to adopt a child under  
31 the Adoption Act. This Section does not apply to a licensed  
32 child welfare agency, as that term is defined in the Child Care  
33 Act of 1969, whose payments are governed by the Child Care Act  
34 of 1969 and the Department rules adopted thereunder.

1 (Source: P.A. 93-1063, eff. 6-1-05.)

2 (720 ILCS 525/4.9 new)

3 Sec. 4.9. Injunctive relief. Whenever it appears that any  
4 person, agency, association, corporation, institution,  
5 society, or other organization is engaged or about to engage in  
6 any acts or practices that constitute or will constitute a  
7 violation of this Act or any rule adopted under the authority  
8 of this Act, the Department shall inform the Attorney General  
9 and the State's Attorney of the appropriate county. Under such  
10 circumstances, the Attorney General or the State's Attorney may  
11 initiate injunction proceedings. Upon a proper showing, any  
12 circuit court may enter a permanent or preliminary injunction  
13 or temporary restraining order without bond to enforce this Act  
14 or any rule adopted under this Act in addition to any other  
15 penalties and other remedies provided in this Act.

16 Section 15. The Adoption Act is amended by changing  
17 Sections 4.1, 10, and 21 as follows:

18 (750 ILCS 50/4.1) (from Ch. 40, par. 1506)

19 Sec. 4.1. Except for children placed with relatives by the  
20 Department of Children and Family Services pursuant to  
21 subsection (b) of Section 7 of the Children and Family Services  
22 Act, placements under this Act shall comply with the Child Care  
23 Act of 1969 and the Interstate Compact on the Placement of  
24 Children. Placements of children born outside the United States  
25 or a territory thereof shall comply with rules promulgated by  
26 the United States Department of Immigration and  
27 Naturalization.

28 Rules promulgated by the Department of Children and Family  
29 Services shall include but not be limited to the following:

30 (a) Any agency providing adoption services as defined in  
31 Section 2.24 of the Child Care Act of 1969 ~~which places such~~

1 ~~children for adoption~~ in this State:

2 (i) Shall be licensed in this State as a child welfare  
3 agency as defined in Section 2.08 of the Child Care Act of  
4 1969; or

5 (ii) Shall be licensed as a child placement agency in a  
6 state which is a party to the Interstate Compact on the  
7 Placement of Children; or

8 (iii) Shall be licensed as a child placement agency in  
9 a country other than the United States or, if located in  
10 such a country but not so licensed, shall provide  
11 information such as a license or court document which  
12 authorizes that agency to place children for adoption and  
13 to establish that such agency has legal authority to place  
14 children for adoption; or

15 (iv) Shall be a child placement agency which is so  
16 licensed in a non-compact state, if such agency first files  
17 with the Department of Children and Family Services a bond  
18 with surety in the amount of \$5,000 for each such child to  
19 ensure that such child shall not become a public charge  
20 upon this State. Such bond shall remain in effect until a  
21 judgment for adoption is entered with respect to such child  
22 pursuant to this Act. The Department of Children and Family  
23 Services may accept, in lieu of such bond, a written  
24 agreement with such agency which provides that such agency  
25 shall be liable for all costs associated with the placement  
26 of such child in the event a judgement of adoption is not  
27 entered, upon such terms and conditions as the Department  
28 deems appropriate.

29 The rules shall also provide that any agency that places  
30 children for adoption in this State may not, in any policy or  
31 practice relating to the placement of children for adoption,  
32 discriminate against any child or prospective adoptive parent  
33 on the basis of race.

34 (b) As an alternative to requiring the bond provided for in

1 paragraph (a)(iv) of this Section, the Department of Children  
2 and Family Services may require the filing of such a bond by  
3 the individual or individuals seeking to adopt such a child  
4 through placement of such child by a child placement agency  
5 located in a state which is not a party to the Interstate  
6 Compact on the Placement of Children.

7 (c) In the case of any foreign-born child brought to the  
8 United States for adoption in this State, the following  
9 preadoption requirements shall be met:

10 (1) Documentation that the child is legally free for  
11 adoption prior to entry into the United States shall be  
12 submitted.

13 (2) A medical report on the child, by authorized  
14 medical personnel in the country of the child's origin,  
15 shall be provided when such personnel are available.

16 (3) Verification that the adoptive family has been  
17 licensed as a foster family home pursuant to the Child Care  
18 Act of 1969, as now or hereafter amended, shall be  
19 provided.

20 (4) A valid home study conducted by a licensed child  
21 welfare agency that complies with guidelines established  
22 by the United States Immigration and Naturalization  
23 Service at 8 CFR 204.4(d)(2)(i), as now or hereafter  
24 amended, shall be submitted. A home study is considered  
25 valid if it contains:

26 (i) A factual evaluation of the financial,  
27 physical, mental and moral capabilities of the  
28 prospective parent or parents to rear and educate the  
29 child properly.

30 (ii) A detailed description of the living  
31 accommodations where the prospective parent or parents  
32 currently reside.

33 (iii) A detailed description of the living  
34 accommodations in the United States where the child

1 will reside, if known.

2 (iv) A statement or attachment recommending the  
3 proposed adoption signed by an official of the child  
4 welfare agency which has conducted the home study.

5 (5) The placing agency located in a non-compact state  
6 or a family desiring to adopt through an authorized  
7 placement party in a non-compact state or a foreign country  
8 shall file with the Department of Children and Family  
9 Services a bond with surety in the amount of \$5,000 as  
10 protection that a foreign-born child accepted for care or  
11 supervision not become a public charge upon the State of  
12 Illinois.

13 (6) In lieu of the \$5,000 bond, the placement agency  
14 may sign a binding agreement with the Department of  
15 Children and Family Services to assume full liability for  
16 all placements should, for any reason, the adoption be  
17 disrupted or not be completed, including financial and  
18 planning responsibility until the child is either returned  
19 to the country of its origin or placed with a new adoptive  
20 family in the United States and that adoption is finalized.

21 (7) Compliance with the requirements of the Interstate  
22 Compact on the Placement of Children, when applicable,  
23 shall be demonstrated.

24 (8) When a child is adopted in a foreign country and a  
25 final, complete and valid Order of Adoption is issued in  
26 that country, as determined by both the United States  
27 Department of State and the United States Department of  
28 Justice, this State shall not impose any additional  
29 preadoption requirements. The adoptive family, however,  
30 must comply with applicable requirements of the United  
31 States Department of Immigration and Naturalization as  
32 provided in 8 CFR 204.4 (d)(2)(ii), as now or hereafter  
33 amended.

34 (d) The Department of Children and Family Services shall

1 maintain the office of Intercountry Adoption Coordinator,  
2 shall maintain and protect the rights of families and children  
3 participating in adoption of foreign born children, and shall  
4 develop ongoing programs of support and services to such  
5 families and children. The Intercountry Adoption Coordinator  
6 shall determine that all preadoption requirements have been met  
7 and report such information to the Department of Immigration  
8 and Naturalization.

9 (Source: P.A. 89-21, eff. 7-1-95; 89-422; 89-626, eff. 8-9-96.)

10 (750 ILCS 50/10) (from Ch. 40, par. 1512)

11 Sec. 10. Forms of consent and surrender; execution and  
12 acknowledgment thereof. A. The form of consent required for  
13 the adoption of a born child shall be substantially as follows:

14 FINAL AND IRREVOCABLE CONSENT TO ADOPTION

15 I, ....., (relationship, e.g., mother, father, relative,  
16 guardian) of ....., a ..male child, state:

17 That such child was born on .... at ....

18 That I reside at ....., County of .... and State of ....

19 That I am of the age of .... years.

20 That I hereby enter my appearance in this proceeding and  
21 waive service of summons on me.

22 That I do hereby consent and agree to the adoption of such  
23 child.

24 That I wish to and understand that by signing this consent  
25 I do irrevocably and permanently give up all custody and other  
26 parental rights I have to such child.

27 That I understand such child will be placed for adoption  
28 and that I cannot under any circumstances, after signing this  
29 document, change my mind and revoke or cancel this consent or  
30 obtain or recover custody or any other rights over such child.  
31 That I have read and understand the above and I am signing it  
32 as my free and voluntary act.

33 Dated (insert date).

1 .....  
2

3 If under Section 8 the consent of more than one person is  
4 required, then each such person shall execute a separate  
5 consent.

6 B. The form of consent required for the adoption of an  
7 unborn child shall be substantially as follows:

8 CONSENT TO ADOPTION OF UNBORN CHILD

9 I, ....., state:

10 That I am the father of a child expected to be born on or  
11 about .... to .... (name of mother).

12 That I reside at .... County of ....., and State of .....

13 That I am of the age of .... years.

14 That I hereby enter my appearance in such adoption  
15 proceeding and waive service of summons on me.

16 That I do hereby consent and agree to the adoption of such  
17 child, and that I have not previously executed a consent or  
18 surrender with respect to such child.

19 That I wish to and do understand that by signing this  
20 consent I do irrevocably and permanently give up all custody  
21 and other parental rights I have to such child, except that I  
22 have the right to revoke this consent by giving written notice  
23 of my revocation not later than 72 hours after the birth of the  
24 child.

25 That I understand such child will be placed for adoption  
26 and that, except as hereinabove provided, I cannot under any  
27 circumstances, after signing this document, change my mind and  
28 revoke or cancel this consent or obtain or recover custody or  
29 any other rights over such child.

30 That I have read and understand the above and I am signing  
31 it as my free and voluntary act.

32 Dated (insert date).  
33 .....

B-5. (1) The parent of a child may execute a consent to

1 standby adoption by a specified person or persons. A consent  
2 under this subsection B-5 shall be acknowledged by a parent  
3 pursuant to subsection H and subsection K of this Section. The  
4 form of consent required for the standby adoption of a born  
5 child effective at a future date when the consenting parent of  
6 the child dies or requests that a final judgment of adoption be  
7 entered shall be substantially as follows:

8 FINAL AND IRREVOCABLE CONSENT  
9 TO STANDBY ADOPTION

10 I, ..., (relationship, e.g. mother or father) of ..., a  
11 ..male child, state:

12 That the child was born on .... at .....

13 That I reside at ....., County of ....., and State of .....

14 That I am of the age of .... years.

15 That I hereby enter my appearance in this proceeding and  
16 waive service of summons on me in this action only.

17 That I do hereby consent and agree to the standby adoption  
18 of the child, and that I have not previously executed a consent  
19 or surrender with respect to the child.

20 That I wish to and understand that by signing this consent  
21 I do irrevocably and permanently give up all custody and other  
22 parental rights I have to the child, effective upon (my death)  
23 (the child's other parent's death) or upon (my) (the other  
24 parent's) request for the entry of a final judgment for  
25 adoption if ..... (specified person or persons) adopt my child.

26 That I understand that until (I die) (the child's other  
27 parent dies), I retain all legal rights and obligations  
28 concerning the child, but at that time, I irrevocably give all  
29 custody and other parental rights to .... (specified person or  
30 persons).

31 I understand my child will be adopted by ..... (specified  
32 person or persons) only and that I cannot, under any  
33 circumstances, after signing this document, change my mind and  
34 revoke or cancel this consent or obtain or recover custody or

1 any other rights over my child if ..... (specified person or  
2 persons) adopt my child.

3 I understand that this consent to standby adoption is valid  
4 only if the petition for standby adoption is filed and that if  
5 ..... (specified person or persons), for any reason, cannot  
6 or will not file a petition for standby adoption or if his,  
7 her, or their petition for standby adoption is denied, then  
8 this consent is void. I have the right to notice of any other  
9 proceeding that could affect my parental rights.

10 That I have read and understand the above and I am signing  
11 it as my free and voluntary act.

12 Dated (insert date).  
13 .....

14 If under Section 8 the consent of more than one person is  
15 required, then each such person shall execute a separate  
16 consent. A separate consent shall be executed for each child.

17 (2) If the parent consents to a standby adoption by 2  
18 specified persons, then the form shall contain 2 additional  
19 paragraphs in substantially the following form:

20 If .... (specified persons) obtain a judgment of  
21 dissolution of marriage before the judgment for adoption is  
22 entered, then ..... (specified person) shall adopt my child. I  
23 understand that I cannot change my mind and revoke this consent  
24 or obtain or recover custody of my child if ..... (specified  
25 persons) obtain a judgment of dissolution of marriage and .....  
26 (specified person) adopts my child. I understand that I cannot  
27 change my mind and revoke this consent if ..... (specified  
28 persons) obtain a judgment of dissolution of marriage before  
29 the adoption is final. I understand that this consent to  
30 adoption has no effect on who will get custody of my child if  
31 ..... (specified persons) obtain a judgment of dissolution of  
32 marriage after the adoption is final. I understand that if  
33 either ..... (specified persons) dies before the petition to

1 adopt my child is granted, then the surviving person may adopt  
2 my child. I understand that I cannot change my mind and revoke  
3 this consent or obtain or recover custody of my child if the  
4 surviving person adopts my child.

5 A consent to standby adoption by specified persons on this  
6 form shall have no effect on a court's determination of custody  
7 or visitation under the Illinois Marriage and Dissolution of  
8 Marriage Act if the marriage of the specified persons is  
9 dissolved before the adoption is final.

10 (3) The form of the certificate of acknowledgement for a  
11 Final and Irrevocable Consent for Standby Adoption shall be  
12 substantially as follows:

13 STATE OF .....)

14 ) SS.

15 COUNTY OF .....)

16 I, ..... (name of Judge or other person) ..... (official  
17 title, name, and address), certify that ....., personally  
18 known to me to be the same person whose name is subscribed to  
19 the foregoing Final and Irrevocable Consent to Standby  
20 Adoption, appeared before me this day in person and  
21 acknowledged that (she) (he) signed and delivered the consent  
22 as (her) (his) free and voluntary act, for the specified  
23 purpose.

24 I have fully explained that this consent to adoption is  
25 valid only if the petition to adopt is filed, and that if the  
26 specified person or persons, for any reason, cannot or will not  
27 adopt the child or if the adoption petition is denied, then  
28 this consent will be void. I have fully explained that if the  
29 specified person or persons adopt the child, by signing this  
30 consent (she) (he) is irrevocably and permanently  
31 relinquishing all parental rights to the child, and (she) (he)  
32 has stated that such is (her) (his) intention and desire.

1 Dated (insert date).

2 Signature.....

3 (4) If a consent to standby adoption is executed in this  
4 form, the consent shall be valid only if the specified person  
5 or persons adopt the child. The consent shall be void if:

6 (a) the specified person or persons do not file a petition  
7 for standby adoption of the child; or

8 (b) a court denies the standby adoption petition.

9 The parent shall not need to take further action to revoke  
10 the consent if the standby adoption by the specified person or  
11 persons does not occur, notwithstanding the provisions of  
12 Section 11 of this Act.

13 C. The form of surrender to any agency given by a parent of  
14 a born child who is to be subsequently placed for adoption  
15 shall be substantially as follows and shall contain such other  
16 facts and statements as the particular agency shall require.

17 FINAL AND IRREVOCABLE SURRENDER

18 FOR PURPOSES OF ADOPTION

19 I, .... (relationship, e.g., mother, father, relative,  
20 guardian) of ....., a ..male child, state:

21 That such child was born on ....., at .....

22 That I reside at ....., County of ....., and State of .....

23 That I am of the age of .... years.

24 That I do hereby surrender and entrust the entire custody  
25 and control of such child to the .... (the "Agency"), a  
26 (public) (licensed) child welfare agency with its principal  
27 office in the City of ....., County of .... and State of .....,  
28 for the purpose of enabling it to care for and supervise the  
29 care of such child, to place such child for adoption and to  
30 consent to the legal adoption of such child.

31 That I hereby grant to the Agency full power and authority  
32 to place such child with any person or persons it may in its  
33 sole discretion select to become the adopting parent or parents  
34 and to consent to the legal adoption of such child by such

1 person or persons; and to take any and all measures which, in  
2 the judgment of the Agency, may be for the best interests of  
3 such child, including authorizing medical, surgical and dental  
4 care and treatment including inoculation and anaesthesia for  
5 such child.

6 That I wish to and understand that by signing this  
7 surrender I do irrevocably and permanently give up all custody  
8 and other parental rights I have to such child.

9 That I understand I cannot under any circumstances, after  
10 signing this surrender, change my mind and revoke or cancel  
11 this surrender or obtain or recover custody or any other rights  
12 over such child.

13 That I have read and understand the above and I am signing  
14 it as my free and voluntary act.

15 Dated (insert date).

16 .....

17 D. The form of surrender to an agency given by a parent of  
18 an unborn child who is to be subsequently placed for adoption  
19 shall be substantially as follows and shall contain such other  
20 facts and statements as the particular agency shall require.

21 SURRENDER OF UNBORN CHILD FOR  
22 PURPOSES OF ADOPTION

23 I, .... (father), state:

24 That I am the father of a child expected to be born on or  
25 about .... to .... (name of mother).

26 That I reside at ....., County of ....., and State of .....

27 That I am of the age of .... years.

28 That I do hereby surrender and entrust the entire custody  
29 and control of such child to the .... (the "Agency"), a  
30 (public) (licensed) child welfare agency with its principal  
31 office in the City of ....., County of .... and State of .....,  
32 for the purpose of enabling it to care for and supervise the  
33 care of such child, to place such child for adoption and to  
34 consent to the legal adoption of such child, and that I have

1 not previously executed a consent or surrender with respect to  
2 such child.

3 That I hereby grant to the Agency full power and authority  
4 to place such child with any person or persons it may in its  
5 sole discretion select to become the adopting parent or parents  
6 and to consent to the legal adoption of such child by such  
7 person or persons; and to take any and all measures which, in  
8 the judgment of the Agency, may be for the best interests of  
9 such child, including authorizing medical, surgical and dental  
10 care and treatment, including inoculation and anaesthesia for  
11 such child.

12 That I wish to and understand that by signing this  
13 surrender I do irrevocably and permanently give up all custody  
14 and other parental rights I have to such child.

15 That I understand I cannot under any circumstances, after  
16 signing this surrender, change my mind and revoke or cancel  
17 this surrender or obtain or recover custody or any other rights  
18 over such child, except that I have the right to revoke this  
19 surrender by giving written notice of my revocation not later  
20 than 72 hours after the birth of such child.

21 That I have read and understand the above and I am signing  
22 it as my free and voluntary act.

23 Dated (insert date).

24 .....

25 E. The form of consent required from the parents for the  
26 adoption of an adult, when such adult elects to obtain such  
27 consent, shall be substantially as follows:

28 CONSENT

29 I, ....., (father) (mother) of ....., an adult, state:  
30 That I reside at ....., County of .... and State of .....

31 That I do hereby consent and agree to the adoption of such  
32 adult by .... and .....

33 Dated (insert date).

34 .....

1 F. The form of consent required for the adoption of a child  
2 of the age of 14 years or upwards, or of an adult, to be given  
3 by such person, shall be substantially as follows:

4 CONSENT

5 I, ....., state:

6 That I reside at ....., County of .... and State of .....  
7 That I am of the age of .... years. That I consent and agree to  
8 my adoption by .... and .....

9 Dated (insert date).

10 .....

11 G. The form of consent given by an agency to the adoption  
12 by specified persons of a child previously surrendered to it  
13 shall set forth that the agency has the authority to execute  
14 such consent. The form of consent given by a guardian of the  
15 person of a child sought to be adopted, appointed by a court of  
16 competent jurisdiction, shall set forth the facts of such  
17 appointment and the authority of the guardian to execute such  
18 consent.

19 H. A consent (other than that given by an agency, or  
20 guardian of the person of the child sought to be adopted  
21 appointed by a court of competent jurisdiction) shall be  
22 acknowledged by a parent before the presiding judge of the  
23 court in which the petition for adoption has been, or is to be  
24 filed or before any other judge or hearing officer designated  
25 or subsequently approved by the court, or the circuit clerk if  
26 so authorized by the presiding judge or, except as otherwise  
27 provided in this Act, before a representative of the Department  
28 of Children and Family Services or a licensed child welfare  
29 agency, or before social service personnel under the  
30 jurisdiction of a court of competent jurisdiction, or before  
31 social service personnel of the Cook County Department of  
32 Supportive Services designated by the presiding judge.

33 I. A surrender, or any other document equivalent to a  
34 surrender, by which a child is surrendered to an agency shall

1 be acknowledged by the person signing such surrender, or other  
 2 document, before a judge or hearing officer or the clerk of any  
 3 court of record, either in this State or any other state of the  
 4 United States, or before a representative of an agency or  
 5 before any other person designated or approved by the presiding  
 6 judge of the court in which the petition for adoption has been,  
 7 or is to be, filed.

8 J. The form of the certificate of acknowledgment for a  
 9 consent, a surrender, or any other document equivalent to a  
 10 surrender, shall be substantially as follows:

11 STATE OF ....)  
 12 ) SS.  
 13 COUNTY OF ...)

14 I, .... (Name of judge or other person), .... (official  
 15 title, name and location of court or status or position of  
 16 other person), certify that ....., personally known to me to be  
 17 the same person whose name is subscribed to the foregoing  
 18 (consent) (surrender), appeared before me this day in person  
 19 and acknowledged that (she) (he) signed and delivered such  
 20 (consent) (surrender) as (her) (his) free and voluntary act,  
 21 for the specified purpose.

22 I have fully explained that by signing such (consent)  
 23 (surrender) (she) (he) is irrevocably relinquishing all  
 24 parental rights to such child or adult and (she) (he) has  
 25 stated that such is (her) (his) intention and desire.

26 Dated (insert date).

27 Signature .....

28 K. When the execution of a consent or a surrender is  
 29 acknowledged before someone other than a judge or the clerk of  
 30 a court of record, such other person shall have his signature  
 31 on the certificate acknowledged before a notary public, in form  
 32 substantially as follows:

33 STATE OF ....)  
 34 ) SS.

1 COUNTY OF ...)

2 I, a Notary Public, in and for the County of ....., in the  
3 State of ....., certify that ....., personally known to me to  
4 be the same person whose name is subscribed to the foregoing  
5 certificate of acknowledgment, appeared before me in person and  
6 acknowledged that (she) (he) signed such certificate as (her)  
7 (his) free and voluntary act and that the statements made in  
8 the certificate are true.

9 Dated (insert date).

10 Signature ..... Notary Public  
11 (official seal)

12 There shall be attached a certificate of magistracy, or  
13 other comparable proof of office of the notary public  
14 satisfactory to the court, to a consent signed and acknowledged  
15 in another state.

16 L. A surrender or consent executed and acknowledged outside  
17 of this State, either in accordance with the law of this State  
18 or in accordance with the law of the place where executed, is  
19 valid, provided that the surrender or consent is neither  
20 executed nor acknowledged prior to 72 hours after the birth of  
21 the child, that any travel or accommodations outside of the  
22 State provided by the receiving agency or party in the  
23 receiving state to a biological parent or parents for purposes  
24 of signing a surrender or consent (i) is provided no less than  
25 72 hours after the birth of the child and (ii) includes return  
26 travel by the same mode of transportation, and that the travel  
27 arrangements have been approved in advance of departure by the  
28 Illinois Interstate Compact for the Placement of Children  
29 Office.

30 M. Where a consent or a surrender is signed in a foreign  
31 country, the execution of such consent shall be acknowledged or  
32 affirmed in a manner conformable to the law and procedure of  
33 such country.

1 N. If the person signing a consent or surrender is in the  
 2 military service of the United States, the execution of such  
 3 consent or surrender may be acknowledged before a commissioned  
 4 officer and the signature of such officer on such certificate  
 5 shall be verified or acknowledged before a notary public or by  
 6 such other procedure as is then in effect for such division or  
 7 branch of the armed forces.

8 O. (1) The parent or parents of a child in whose interests  
 9 a petition under Section 2-13 of the Juvenile Court Act of 1987  
 10 is pending may, with the approval of the designated  
 11 representative of the Department of Children and Family  
 12 Services, execute a consent to adoption by a specified person  
 13 or persons:

14 (a) in whose physical custody the child has resided for  
 15 at least 6 months; or

16 (b) in whose physical custody at least one sibling of  
 17 the child who is the subject of this consent has resided  
 18 for at least 6 months, and the child who is the subject of  
 19 this consent is currently residing in this foster home; or

20 (c) in whose physical custody a child under one year of  
 21 age has resided for at least 3 months.

22 A consent under this subsection O shall be acknowledged by a  
 23 parent pursuant to subsection H and subsection K of this  
 24 Section.

25 (2) The consent to adoption by a specified person or  
 26 persons shall have the caption of the proceeding in which it is  
 27 to be filed and shall be substantially as follows:

28 FINAL AND IRREVOCABLE CONSENT TO ADOPTION BY  
 29 A SPECIFIED PERSON OR PERSONS

30 I, ....., the  
 31 ..... (mother or father) of a ....male child,  
 32 state:

33 1. My child ..... (name of  
 34 child) was born on (insert date) at .....

1 Hospital in ..... County, State of  
2 .....

3 2. I reside at ....., County of  
4 ..... and State of .....

5 3. I, ....., am .... years old.

6 4. I enter my appearance in this action to adopt my  
7 child by the person or persons specified herein by me and  
8 waive service of summons on me in this action only.

9 5. I consent to the adoption of my child by  
10 ..... (specified person or  
11 persons) only.

12 6. I wish to sign this consent and I understand that by  
13 signing this consent I irrevocably and permanently give up  
14 all parental rights I have to my child if my child is  
15 adopted by ..... (specified person  
16 or persons).

17 7. I understand my child will be adopted by  
18 ..... (specified person or  
19 persons) only and that I cannot under any circumstances,  
20 after signing this document, change my mind and revoke or  
21 cancel this consent or obtain or recover custody or any  
22 other rights over my child if .....  
23 (specified person or persons) adopt my child.

24 8. I understand that this consent to adoption is valid  
25 only if the petition to adopt is filed within one year from  
26 the date that I sign it and that if .....  
27 (specified person or persons), for any reason, cannot or  
28 will not file a petition to adopt my child within that one  
29 year period or if their adoption petition is denied, then  
30 this consent will be voidable after one year upon the  
31 timely filing of my motion. If I file this motion before  
32 the filing of the petition for adoption, I understand that  
33 the court shall revoke this specific consent. I have the  
34 right to notice of any other proceeding that could affect

1 my parental rights, except for the proceeding for  
2 ..... (specified person or persons) to adopt my  
3 child.

4 9. I have read and understand the above and I am  
5 signing it as my free and voluntary act.

6 Dated (insert date).

7 .....

8 Signature of parent

9 (3) If the parent consents to an adoption by 2 specified  
10 persons, then the form shall contain 2 additional paragraphs in  
11 substantially the following form:

12 10. If ..... (specified persons) get a  
13 divorce before the petition to adopt my child is granted,  
14 then ..... (specified person) shall adopt my child. I  
15 understand that I cannot change my mind and revoke this  
16 consent or obtain or recover custody over my child if  
17 ..... (specified persons) divorce and  
18 ..... (specified person) adopts my child. I  
19 understand that I cannot change my mind and revoke this  
20 consent or obtain or recover custody over my child if  
21 ..... (specified persons) divorce after the  
22 adoption is final. I understand that this consent to  
23 adoption has no effect on who will get custody of my child  
24 if they divorce after the adoption is final.

25 11. I understand that if either .....  
26 (specified persons) dies before the petition to adopt my  
27 child is granted, then the surviving person can adopt my  
28 child. I understand that I cannot change my mind and revoke  
29 this consent or obtain or recover custody over my child if  
30 the surviving person adopts my child.

31 A consent to adoption by specified persons on this form  
32 shall have no effect on a court's determination of custody or  
33 visitation under the Illinois Marriage and Dissolution of  
34 Marriage Act if the marriage of the specified persons is

1 dissolved after the adoption is final.

2 (4) The form of the certificate of acknowledgement for a  
3 Final and Irrevocable Consent for Adoption by a Specified  
4 Person or Persons shall be substantially as follows:

5 STATE OF.....)

6 ) SS.

7 COUNTY OF.....)

8 I, ..... (Name of Judge or other person),  
9 ..... (official title, name, and address),  
10 certify that ....., personally known to me to be the  
11 same person whose name is subscribed to the foregoing Final and  
12 Irrevocable Consent for Adoption by a Specified Person or  
13 Persons, appeared before me this day in person and acknowledged  
14 that (she) (he) signed and delivered the consent as (her) (his)  
15 free and voluntary act, for the specified purpose.

16 I have fully explained that this consent to adoption is  
17 valid only if the petition to adopt is filed within one year  
18 from the date that it is signed, and that if the specified  
19 person or persons, for any reason, cannot or will not adopt the  
20 child or if the adoption petition is denied, then this consent  
21 will be voidable after one year upon the timely filing of a  
22 motion by the parent to revoke the consent. I explained that if  
23 this motion is filed before the filing of the petition for  
24 adoption, the court shall revoke this specific consent. I have  
25 fully explained that if the specified person or persons adopt  
26 the child, by signing this consent this parent is irrevocably  
27 and permanently relinquishing all parental rights to the child,  
28 and this parent has stated that such is (her) (his) intention  
29 and desire.

30 Dated (insert date).

31 .....

32 Signature

1           (5) If a consent to adoption by a specified person or  
2 persons is executed in this form, the following provisions  
3 shall apply. The consent shall be valid only if that specified  
4 person or persons adopt the child. The consent shall be  
5 voidable after one year if:

6           (a) the specified person or persons do not file a  
7 petition to adopt the child within one year after the  
8 consent is signed and the parent files a timely motion to  
9 revoke this consent. If this motion is filed before the  
10 filing of the petition for adoption the court shall revoke  
11 this consent; or

12           (b) a court denies the adoption petition; or

13           (c) the Department of Children and Family Services  
14 Guardianship Administrator determines that the specified  
15 person or persons will not or cannot complete the adoption,  
16 or in the best interests of the child should not adopt the  
17 child.

18           Within 30 days of the consent becoming void, the Department  
19 of Children and Family Services Guardianship Administrator  
20 shall make good faith attempts to notify the parent in writing  
21 and shall give written notice to the court and all additional  
22 parties in writing that the adoption has not occurred or will  
23 not occur and that the consent is void. If the adoption by a  
24 specified person or persons does not occur, no proceeding for  
25 termination of parental rights shall be brought unless the  
26 biological parent who executed the consent to adoption by a  
27 specified person or persons has been notified of the proceeding  
28 pursuant to Section 7 of this Act or subsection (4) of Section  
29 2-13 of the Juvenile Court Act of 1987. The parent shall not  
30 need to take further action to revoke the consent if the  
31 specified adoption does not occur, notwithstanding the  
32 provisions of Section 11 of this Act.

33           (6) The Department of Children and Family Services is  
34 authorized to promulgate rules necessary to implement this

1 subsection O.

2 (7) The Department shall collect and maintain data  
3 concerning the efficacy of specific consents. This data shall  
4 include the number of specific consents executed and their  
5 outcomes, including but not limited to the number of children  
6 adopted pursuant to the consents, the number of children for  
7 whom adoptions are not completed, and the reason or reasons why  
8 the adoptions are not completed.

9 (Source: P.A. 92-320, eff. 1-1-02; 93-732, eff. 1-1-05.)

10 (750 ILCS 50/21) (from Ch. 40, par. 1526)

11 Sec. 21. Compensation for placing of children prohibited.

12 No person, agency, association, corporation, institution,  
13 society or other organization, except a child welfare agency as  
14 defined by the "Child Care Act", approved July 10, 1957, as now  
15 or hereafter amended, shall receive or accept, or pay or give  
16 any compensation or thing of value, directly or indirectly, for  
17 providing adoption services, as that term is defined in the  
18 Child Care Act of 1969, including placing out of a child as is  
19 more specifically provided in "An Act to prevent the payment or  
20 receipt of compensation for placing out children for adoption  
21 or for the purpose of providing care", approved July 14, 1955,  
22 as now or hereafter amended.

23 (Source: Laws, 1959, p. 1269.)

24 Section 95. No acceleration or delay. Where this Act makes  
25 changes in a statute that is represented in this Act by text  
26 that is not yet or no longer in effect (for example, a Section  
27 represented by multiple versions), the use of that text does  
28 not accelerate or delay the taking effect of (i) the changes  
29 made by this Act or (ii) provisions derived from any other  
30 Public Act.

31 Section 99. Effective date. This Act takes effect upon

1 becoming law.".