

HB3595



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB3595

by Rep. Keith P. Sommer

SYNOPSIS AS INTRODUCED:

225 ILCS 10/2.09

from Ch. 23, par. 2212.09

Amends the Child Care Act. Provides that the following are not a day care center for the purposes of the Act: (1) a recreational facility that allows its facilities to be used by children outside of structured activities; and (2) a public or private school that allows its facilities to be used by children for recreational activities outside of school hours or on days when school is not in session and the recreational activities are not school-sponsored activities. Effective immediately.

LRB099 11164 AMC 31654 b

A BILL FOR

1 AN ACT concerning regulation.

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

4 Section 5. The Child Care Act of 1969 is amended by
5 changing Section 2.09 as follows:

6 (225 ILCS 10/2.09) (from Ch. 23, par. 2212.09)

7 Sec. 2.09. "Day care center" means any child care facility
8 which regularly provides day care for less than 24 hours per
9 day for (1) more than 8 children in a family home, or (2) more
10 than 3 children in a facility other than a family home,
11 including senior citizen buildings. The term does not include
12 (a) programs operated by (i) public or private elementary
13 school systems or secondary level school units or institutions
14 of higher learning that serve children who shall have attained
15 the age of 3 years or (ii) private entities on the grounds of
16 public or private elementary or secondary schools and that
17 serve children who have attained the age of 3 years, except
18 that this exception applies only to the facility and not to the
19 private entities' personnel operating the program; (b)
20 programs or that portion of the program which serves children
21 who shall have attained the age of 3 years and which are
22 recognized by the State Board of Education; (c) educational
23 program or programs serving children who shall have attained

1 the age of 3 years and which are operated by a school which is
2 registered with the State Board of Education and which is
3 recognized or accredited by a recognized national or multistate
4 educational organization or association which regularly
5 recognizes or accredits schools; (d) programs which
6 exclusively serve or that portion of the program which serves
7 handicapped children who shall have attained the age of 3 years
8 but are less than 21 years of age and which are registered and
9 approved as meeting standards of the State Board of Education
10 and applicable fire marshal standards; (e) facilities operated
11 in connection with a shopping center or service, religious
12 services, or other similar facility, where transient children
13 are cared for temporarily while parents or custodians of the
14 children are occupied on the premises and readily available;
15 (f) any type of day care center that is conducted on federal
16 government premises; (g) special activities programs,
17 including athletics, crafts instruction and similar activities
18 conducted on an organized and periodic basis by civic,
19 charitable and governmental organizations; (h) part day child
20 care facilities, as defined in Section 2.10 of this Act; or (i)
21 programs or that portion of the program which (1) serves
22 children who shall have attained the age of 3 years, (2) is
23 operated by churches or religious institutions as described in
24 Section 501 (c) (3) of the federal Internal Revenue Code, (3)
25 receives no governmental aid, (4) is operated as a component of
26 a religious, nonprofit elementary school, (5) operates

1 primarily to provide religious education, and (6) meets
2 appropriate State or local health and fire safety standards.

3 For purposes of (a), (b), (c), (d) and (i) of this Section,
4 "children who shall have attained the age of 3 years" shall
5 mean children who are 3 years of age, but less than 4 years of
6 age, at the time of enrollment in the program.

7 Notwithstanding any other provision of this Section, the
8 following are not a day care center for the purposes of this
9 Act:

10 (1) a recreational facility that allows its facilities
11 to be used by children outside of structured activities;
12 and

13 (2) a public or private school that allows its
14 facilities to be used by children for recreational
15 activities outside of school hours or on days when school
16 is not in session and the recreational activities are not
17 school-sponsored activities.

18 (Source: P.A. 92-659, eff. 7-16-02.)

19 Section 99. Effective date. This Act takes effect upon
20 becoming law.