

1 AN ACT concerning children.

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

4 Section 5. The Abused and Neglected Child Reporting Act is  
5 amended by changing Sections 7.8 and 7.14 as follows:

6 (325 ILCS 5/7.8) (from Ch. 23, par. 2057.8)

7 Sec. 7.8. Upon receiving an oral or written report of  
8 suspected child abuse or neglect, the Department shall  
9 immediately notify, either orally or electronically, the Child  
10 Protective Service Unit of a previous report concerning a  
11 subject of the present report or other pertinent information.  
12 In addition, upon satisfactory identification procedures, to  
13 be established by Department regulation, any person authorized  
14 to have access to records under Section 11.1 relating to child  
15 abuse and neglect may request and shall be immediately provided  
16 the information requested in accordance with this Act. However,  
17 no information shall be released unless it prominently states  
18 the report is "indicated", and only information from  
19 "indicated" reports shall be released, except that information  
20 concerning pending reports may be released pursuant to Sections  
21 7.14 and 7.22 of this Act to the attorney or guardian ad litem  
22 appointed under Section 2-17 of the Juvenile Court Act of 1987  
23 and to any person authorized under paragraphs (1), (2), (3) and

1 (11) of Section 11.1. In addition, State's Attorneys are  
2 authorized to receive unfounded reports (i) for prosecution  
3 purposes related to the transmission of false reports of child  
4 abuse or neglect in violation of subsection (a), paragraph (7)  
5 of Section 26-1 of the Criminal Code of 2012 or (ii) for the  
6 purposes of screening and prosecuting a petition filed under  
7 Article II of the Juvenile Court Act of 1987 alleging a  
8 subsequent allegation of abuse or neglect relating to the same  
9 child, a sibling of the child, or the same perpetrator; the  
10 parties to the proceedings filed under Article II of the  
11 Juvenile Court Act of 1987 are entitled to receive copies of  
12 previously unfounded reports regarding the same child, a  
13 sibling of the child, or the same perpetrator for purposes of  
14 hearings under Sections 2-10 and 2-21 of the Juvenile Court Act  
15 of 1987, and attorneys and guardians ad litem appointed under  
16 Article II of the Juvenile Court Act of 1987 shall receive the  
17 reports set forth in Section 7.14 of this Act in conformance  
18 with paragraph (19) of Section 11.1 and Section 7.14 of this  
19 Act. The names and other identifying data and the dates and the  
20 circumstances of any persons requesting or receiving  
21 information from the central register shall be entered in the  
22 register record.

23 (Source: P.A. 97-1150, eff. 1-25-13; 98-807, eff. 8-1-14;  
24 revised 11-25-14.)

25 (325 ILCS 5/7.14) (from Ch. 23, par. 2057.14)

1           Sec. 7.14. All reports in the central register shall be  
2 classified in one of three categories: "indicated",  
3 "unfounded" or "undetermined", as the case may be. Prior to  
4 classifying the report, the person making the classification  
5 shall determine whether the child named in the report is the  
6 subject of an action under Article II of the Juvenile Court Act  
7 of 1987. If the child is the subject of an action under Article  
8 II of the Juvenile Court Act of 1987 and the Department intends  
9 to classify the report as indicated, the Department shall,  
10 within 45 days of classification of the report, transmit a copy  
11 of the report to the attorney or guardian ad litem appointed  
12 for the child under Section 2-17 of the Juvenile Court Act of  
13 1987. If the child is the subject of an action under Article II  
14 of the Juvenile Court Act of 1987 and the Department intends to  
15 classify the report as unfounded, the Department shall, within  
16 45 days of deciding its intent to classify the report as  
17 unfounded, transmit a copy of the report and written notice of  
18 the Department's intent to the attorney or guardian ad litem  
19 appointed for the child under Section 2-17 of the Juvenile  
20 Court Act of 1987. All information identifying the subjects of  
21 an unfounded report shall be expunged from the register  
22 forthwith, except as provided in Section 7.7. Unfounded reports  
23 may only be made available to the Child Protective Service Unit  
24 when investigating a subsequent report of suspected abuse or  
25 maltreatment involving a child named in the unfounded report;  
26 and to the subject of the report, provided the Department has

1 not expunged the file in accordance with Section 7.7. The Child  
2 Protective Service Unit shall not indicate the subsequent  
3 report solely based upon the existence of the prior unfounded  
4 report or reports. Notwithstanding any other provision of law  
5 to the contrary, an unfounded report shall not be admissible in  
6 any judicial or administrative proceeding or action except for  
7 proceedings under Sections 2-10 and 2-21 of the Juvenile Court  
8 Act of 1987 involving a petition filed under Section 2-13 of  
9 the Juvenile Court Act of 1987 alleging abuse or neglect to the  
10 same child, a sibling of the child, or the same perpetrator.

11 Identifying information on all other records shall be removed  
12 from the register no later than 5 years after the report is  
13 indicated. However, if another report is received involving the  
14 same child, his sibling or offspring, or a child in the care of  
15 the persons responsible for the child's welfare, or involving  
16 the same alleged offender, the identifying information may be  
17 maintained in the register until 5 years after the subsequent  
18 case or report is closed.

19 Notwithstanding any other provision of this Section,  
20 identifying information in indicated reports involving serious  
21 physical injury to a child as defined by the Department in  
22 rules, may be retained longer than 5 years after the report is  
23 indicated or after the subsequent case or report is closed, and  
24 may not be removed from the register except as provided by the  
25 Department in rules. Identifying information in indicated  
26 reports involving sexual penetration of a child, sexual

1 molestation of a child, sexual exploitation of a child, torture  
2 of a child, or the death of a child, as defined by the  
3 Department in rules, shall be retained for a period of not less  
4 than 50 years after the report is indicated or after the  
5 subsequent case or report is closed.

6 For purposes of this Section "child" includes an adult  
7 resident as defined in this Act.

8 (Source: P.A. 97-333, eff. 8-12-11; 98-453, eff. 8-16-13;  
9 98-807, eff. 8-1-14; revised 11-25-14.)