



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB1797

Introduced 1/28/2025, by Rep. Tom Weber

SYNOPSIS AS INTRODUCED:

325 ILCS 5/7
325 ILCS 5/7.3

from Ch. 23, par. 2057
from Ch. 23, par. 2057.3

Amends the Abused and Neglected Child Reporting Act. Provides that any report received by the Department of Children and Family Services alleging the abuse or neglect of a child by any person (rather than a person who is not the child's parent, a member of the child's immediate family, a person responsible for the child's welfare, an individual residing in the same home as the child, or a paramour of the child's parent) shall immediately be shared with (rather than referred to) the appropriate local law enforcement agency. Provides that, upon receipt of the shared report, the local law enforcement agency may, in its discretion, conduct a criminal investigation or other action based on the information contained within the report. Provides that the Department shall be the sole agency responsible for receiving and investigating reports of child abuse or neglect made under the Act, except where investigations by other agencies may be required with respect to reports alleging the abuse or neglect of a child by any person (rather than except where investigations by other agencies may be required with respect to reports alleging the abuse or neglect of a child by a person who is not the child's parent, a member of the child's immediate family, a person responsible for the child's welfare, an individual residing in the same home as the child, or a paramour of the child's parent).

LRB104 03970 KTG 13994 b

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 1. Reference to Act. This Act may be referred to as
5 the AJ Freund Act.

6 Section 5. The Abused and Neglected Child Reporting Act is
7 amended by changing Sections 7 and 7.3 as follows:

8 (325 ILCS 5/7) (from Ch. 23, par. 2057)

9 Sec. 7. Time and manner of making reports. All reports of
10 suspected child abuse or neglect made under this Act shall be
11 made immediately by telephone to the central register
12 established under Section 7.7 on the single, State-wide,
13 toll-free telephone number established in Section 7.6, or in
14 person or by telephone through the nearest Department office.
15 The Department shall, in cooperation with school officials,
16 distribute appropriate materials in school buildings listing
17 the toll-free telephone number established in Section 7.6,
18 including methods of making a report under this Act. The
19 Department may, in cooperation with appropriate members of the
20 clergy, distribute appropriate materials in churches,
21 synagogues, temples, mosques, or other religious buildings
22 listing the toll-free telephone number established in Section

1 7.6, including methods of making a report under this Act.

2 Wherever the Statewide number is posted, there shall also
3 be posted the following notice:

4 "Any person who knowingly transmits a false report to the
5 Department commits the offense of disorderly conduct under
6 subsection (a)(7) of Section 26-1 of the Criminal Code of
7 2012. A violation of this subsection is a Class 4 felony."

8 The report required by this Act shall include, if known,
9 the name and address of the child and the child's parents or
10 other persons having the child's custody; the child's age; the
11 nature of the child's condition, including any evidence of
12 previous injuries or disabilities; and any other information
13 that the person filing the report believes might be helpful in
14 establishing the cause of such abuse or neglect and the
15 identity of the person believed to have caused such abuse or
16 neglect. Reports made to the central register through the
17 State-wide, toll-free telephone number shall be immediately
18 transmitted by the Department to the appropriate Child
19 Protective Service Unit. All such reports alleging the death
20 of a child, serious injury to a child, including, but not
21 limited to, brain damage, skull fractures, subdural hematomas,
22 and internal injuries, torture of a child, malnutrition of a
23 child, and sexual abuse to a child, including, but not limited
24 to, sexual intercourse, sexual exploitation, sexual
25 molestation, and sexually transmitted disease in a child age
26 12 and under, shall also be immediately transmitted by the

1 Department to the appropriate local law enforcement agency.
2 The Department shall within 24 hours orally notify local law
3 enforcement personnel and the office of the State's Attorney
4 of the involved county of the receipt of any report alleging
5 the death of a child, serious injury to a child, including, but
6 not limited to, brain damage, skull fractures, subdural
7 hematomas, and internal injuries, torture of a child,
8 malnutrition of a child, and sexual abuse to a child,
9 including, but not limited to, sexual intercourse, sexual
10 exploitation, sexual molestation, and sexually transmitted
11 disease in a child age 12 and under. All oral reports made by
12 the Department to local law enforcement personnel and the
13 office of the State's Attorney of the involved county shall be
14 confirmed in writing within 24 hours of the oral report.

15 Any report received by the Department alleging the abuse
16 or neglect of a child by any ~~a person who is not the child's~~
17 ~~parent, a member of the child's immediate family, a person~~
18 ~~responsible for the child's welfare, an individual residing in~~
19 ~~the same home as the child, or a paramour of the child's parent~~
20 shall immediately be shared with ~~referred to~~ the appropriate
21 local law enforcement agency. Upon receipt of the shared
22 report, the local law enforcement agency may, in its
23 discretion, conduct a criminal investigation or other action
24 based on the information contained within the report ~~for~~
25 ~~consideration of criminal investigation or other action.~~

26 Written confirmation reports from persons not required to

1 report by this Act may be made to the appropriate Child
2 Protective Service Unit. Written reports from persons required
3 by this Act to report shall be admissible in evidence in any
4 judicial proceeding or administrative hearing relating to
5 child abuse or neglect. Reports involving known or suspected
6 child abuse or neglect in public or private residential
7 agencies or institutions shall be made and received in the
8 same manner as all other reports made under this Act.

9 For purposes of this Section, "child" includes an adult
10 resident as defined in this Act.

11 (Source: P.A. 102-558, eff. 8-20-21; 103-22, eff. 8-8-23;
12 103-624, eff. 1-1-25.)

13 (325 ILCS 5/7.3) (from Ch. 23, par. 2057.3)

14 Sec. 7.3. (a) The Department shall be the sole agency
15 responsible for receiving and investigating reports of child
16 abuse or neglect made under this Act, including reports of
17 adult resident abuse or neglect as defined in this Act, except
18 where investigations by other agencies may be required with
19 respect to reports alleging the abuse or neglect of a child by
20 any person, ~~a person who is not the child's parent, a member of~~
21 ~~the child's immediate family, a person responsible for the~~
22 ~~child's welfare, an individual residing in the same home as~~
23 ~~the child, or a paramour of the child's parent,~~ the death of a
24 child, serious injury to a child, or sexual abuse to a child
25 made pursuant to Sections 4.1 or 7 of this Act, and except that

1 the Department may delegate the performance of the
2 investigation to the Illinois State Police, a law enforcement
3 agency and to those private social service agencies which have
4 been designated for this purpose by the Department prior to
5 July 1, 1980.

6 (b) Notwithstanding any other provision of this Act, the
7 Department shall adopt rules expressly allowing law
8 enforcement personnel to investigate reports of suspected
9 child abuse or neglect concurrently with the Department,
10 without regard to whether the Department determines a report
11 to be "indicated" or "unfounded" or deems a report to be
12 "undetermined".

13 (c) By June 1, 2016, the Department shall adopt rules that
14 address and set forth criteria and standards relevant to
15 investigations of reports of abuse or neglect committed by any
16 agency, as defined in Section 3 of this Act, or person working
17 for an agency responsible for the welfare of a child or adult
18 resident.

19 (Source: P.A. 101-583, eff. 1-1-20; 102-538, eff. 8-20-21.)