



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

HB3439

Introduced 2/18/2025, by Rep. Joyce Mason

#### SYNOPSIS AS INTRODUCED:

225 ILCS 10/4.1	from Ch. 23, par. 2214.1
225 ILCS 10/5	from Ch. 23, par. 2215
225 ILCS 10/5.01	
225 ILCS 10/7.10	
225 ILCS 10/9.1c	
325 ILCS 50/5	from Ch. 23, par. 2285

Amends the Child Care Act of 1969. In provisions concerning criminal background investigations, makes changes regarding the Department who regulates background checks, the background check that a potential employee is required to complete, and the supervision required for an employee pending completion of a background check. Provides that the Department of Early Childhood shall establish a secure background check portal that is accessible to applicants, child care staff, human resources representatives, and day care licensing representatives no later than July 1, 2026. Sets forth requirements for the background check portal. In provisions concerning any examinations conducted by the Department, provides that full monitoring and inspection reports, along with any corrective actions taken by the provider, shall be posted in plain language within 30 days from the creation of the report on the Department's consumer education website. Provides that, in the report that the Department provide to the General Assembly on its progress in meeting performance measures and goals related to child day care licensing, the Department shall include details regarding the processing of background checks, including the average number of days it takes for the background check unit to complete a series of background checks and issue a background check clearance required under the Child Care and Development Block Grant. Makes other changes. Amends the Missing Children Records Act. Provides that, by September 30, 2025, the Illinois State Police shall publish a list of acceptable governmental documentation that provides satisfactory proof of a child's identity and age. Provides that a grace period of up to 90 calendar days from the first date of attendance should be allowed for the person enrolling the child to provide any other reliable proof that has been identified.

LRB104 08884 AAS 18939 b

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 Sections 4.1, 5, 5.01, 7.10 and 9.1c as follows:

6 (225 ILCS 10/4.1) (from Ch. 23, par. 2214.1)

7 (Text of Section before amendment by P.A. 103-594)

8 Sec. 4.1. Criminal background investigations. The  
9 Department shall require that each child care facility license  
10 applicant as part of the application process, and each  
11 employee and volunteer of a child care facility or  
12 non-licensed service provider, as a condition of employment,  
13 authorize an investigation every 5 years, as required under  
14 the Child Care and Development Block Grant, to determine if  
15 such applicant, employee, or volunteer has ever been charged  
16 with a crime and if so, the disposition of those charges; this  
17 authorization shall indicate the scope of the inquiry and the  
18 agencies which may be contacted. Upon this authorization, the  
19 Director shall request and receive information and assistance  
20 from any federal, State or local governmental agency as part  
21 of the authorized investigation. Each applicant, employee, or  
22 volunteer of a child care facility or non-licensed service  
23 provider shall submit the applicant's, employee's, or

1 volunteer's fingerprints to the Illinois State Police in the  
2 form and manner prescribed by the Illinois State Police. These  
3 fingerprints shall be checked against the fingerprint records  
4 now and hereafter filed in the Illinois State Police and  
5 Federal Bureau of Investigation criminal history records  
6 databases. The Illinois State Police shall charge a fee for  
7 conducting the criminal history records check, which shall be  
8 deposited in the State Police Services Fund and shall not  
9 exceed the actual cost of the records check. The Illinois  
10 State Police shall provide information concerning any criminal  
11 charges, and their disposition, now or hereafter filed,  
12 against an applicant, employee, or volunteer of a child care  
13 facility or non-licensed service provider upon request of the  
14 Department of Children and Family Services when the request is  
15 made in the form and manner required by the Illinois State  
16 Police.

17 Information concerning convictions of a license applicant,  
18 employee, or volunteer of a child care facility or  
19 non-licensed service provider investigated under this Section,  
20 including the source of the information and any conclusions or  
21 recommendations derived from the information, shall be  
22 provided, upon request, to such applicant, employee, or  
23 volunteer of a child care facility or non-licensed service  
24 provider prior to final action by the Department on the  
25 application. State conviction information provided by the  
26 Illinois State Police regarding employees, prospective

1 employees, or volunteers of non-licensed service providers and  
2 child care facilities licensed under this Act shall be  
3 provided to the operator of such facility, and, upon request,  
4 to the employee, prospective employee, or volunteer of a child  
5 care facility or non-licensed service provider. Any  
6 information concerning criminal charges and the disposition of  
7 such charges obtained by the Department shall be confidential  
8 and may not be transmitted outside the Department, except as  
9 required herein, and may not be transmitted to anyone within  
10 the Department except as needed for the purpose of evaluating  
11 an application or an employee or volunteer of a child care  
12 facility or non-licensed service provider. Only information  
13 and standards which bear a reasonable and rational relation to  
14 the performance of a child care facility shall be used by the  
15 Department or any licensee. Any employee of the Department of  
16 Children and Family Services, Illinois State Police, or a  
17 child care facility receiving confidential information under  
18 this Section who gives or causes to be given any confidential  
19 information concerning any criminal convictions of an  
20 applicant, employee, or volunteer of a child care facility or  
21 non-licensed service provider, shall be guilty of a Class A  
22 misdemeanor unless release of such information is authorized  
23 by this Section.

24 The Department of Children and Family Services or the  
25 Department of Early Childhood shall allow day care centers,  
26 day care homes, and group day care homes to ~~A child care~~

1 ~~facility may~~ hire, on a probationary basis, any employee or  
2 volunteer ~~of a child care facility or non-licensed service~~  
3 ~~provider~~ authorizing a criminal background investigation under  
4 this Section, after completing either: ~~pending the result of~~  
5 ~~such investigation~~

6 (1) the Federal Bureau of Investigation fingerprint  
7 criminal background check; or

8 (2) the Illinois State Police fingerprint criminal  
9 background check and a criminal record check of the  
10 criminal repository of each state in which the employee or  
11 volunteer resided during the preceding 5 years.

12 Pending completion of all background check requirements,  
13 the prospective employee or volunteer must be supervised at  
14 all times by an individual who received a qualifying result on  
15 all background check components. Employees and volunteers of a  
16 day care center, day care home, or group day care home ~~child~~  
17 ~~care facility or non-licensed service provider~~ shall be  
18 notified prior to hiring that such employment may be  
19 terminated on the basis of criminal background information  
20 obtained by the facility.

21 No later than July 1, 2026, the Department of Early  
22 Childhood shall establish a secure background check portal  
23 that is accessible, at minimum, to applicants, child care  
24 staff, human resources representatives, and day care licensing  
25 representatives and that has the following capabilities:

26 (1) allows individuals to fill out all background

1 check authorization forms online and upload and submit all  
2 documents deemed necessary by the Department of Early  
3 Childhood;

4 (2) allows necessary parties to provide electronic  
5 signatures on any background check documents;

6 (3) allows individuals to check the status of the  
7 background checks;

8 (4) notifies the appropriate individual if information  
9 or documents are missing;

10 (5) includes a search feature that allows necessary  
11 parties to view if an applicant's background check  
12 clearance has been issued within the past 5 years or if the  
13 background check has expired;

14 (6) allows necessary parties to view and print any  
15 background check clearance letters;

16 (7) allows a background check clearance letter to be  
17 tied to more than one license number; and

18 (8) allows applicants to upload a background check  
19 clearance letter, if the applicant has lived in another  
20 state within the past 5 years, to satisfy the requirement  
21 for an interstate background check.

22 The Department of Early Childhood shall also publicize  
23 a contact number for its background check unit that allows  
24 interested parties to inquire about background checks.

25 (Source: P.A. 102-538, eff. 8-20-21; 103-22, eff. 8-8-23.)

1 (Text of Section after amendment by P.A. 103-594)

2 Sec. 4.1. Criminal background investigations. The  
3 Department of Children and Family Services or the Department  
4 of Early Childhood shall require that each child care facility  
5 license applicant under the agencies' respective authority as  
6 part of the application process, and each employee and  
7 volunteer of a child care facility or non-licensed service  
8 provider, as a condition of employment, authorize an  
9 investigation every 5 years, as required under the Child Care  
10 and Development Block Grant, to determine if such applicant,  
11 employee, or volunteer has ever been charged with a crime and  
12 if so, the disposition of those charges; this authorization  
13 shall indicate the scope of the inquiry and the agencies which  
14 may be contacted. Upon this authorization, the Director shall  
15 request and receive information and assistance from any  
16 federal, State or local governmental agency as part of the  
17 authorized investigation. Each applicant, employee, or  
18 volunteer of a child care facility or non-licensed service  
19 provider shall submit the applicant's, employee's, or  
20 volunteer's fingerprints to the Illinois State Police in the  
21 form and manner prescribed by the Illinois State Police. These  
22 fingerprints shall be checked against the fingerprint records  
23 now and hereafter filed in the Illinois State Police and  
24 Federal Bureau of Investigation criminal history records  
25 databases. The Illinois State Police shall charge a fee for  
26 conducting the criminal history records check, which shall be

1 deposited in the State Police Services Fund and shall not  
2 exceed the actual cost of the records check. The Illinois  
3 State Police shall provide information concerning any criminal  
4 charges, and their disposition, now or hereafter filed,  
5 against an applicant, employee, or volunteer of a child care  
6 facility or non-licensed service provider upon request of the  
7 Department of Children and Family Services or the Department  
8 of Early Childhood when the request is made in the form and  
9 manner required by the Illinois State Police.

10 Information concerning convictions of a license applicant,  
11 employee, or volunteer of a child care facility or  
12 non-licensed service provider investigated under this Section,  
13 including the source of the information and any conclusions or  
14 recommendations derived from the information, shall be  
15 provided, upon request, to such applicant, employee, or  
16 volunteer of a child care facility or non-licensed service  
17 provider prior to final action by the Department of Children  
18 and Family Services or the Department of Early Childhood under  
19 the agencies' respective authority on the application. State  
20 conviction information provided by the Illinois State Police  
21 regarding employees, prospective employees, or volunteers of  
22 non-licensed service providers and child care facilities  
23 licensed under this Act shall be provided to the operator of  
24 such facility, and, upon request, to the employee, prospective  
25 employee, or volunteer of a child care facility or  
26 non-licensed service provider. Any information concerning

1 criminal charges and the disposition of such charges obtained  
2 by the Department of Children and Family Services or the  
3 Department of Early Childhood shall be confidential and may  
4 not be transmitted outside the Department of Children and  
5 Family Services or the Department of Early Childhood, except  
6 as required herein, and may not be transmitted to anyone  
7 within the Department of Children and Family Services or the  
8 Department of Early Childhood except as needed for the purpose  
9 of evaluating an application or an employee or volunteer of a  
10 child care facility or non-licensed service provider. Only  
11 information and standards which bear a reasonable and rational  
12 relation to the performance of a child care facility shall be  
13 used by the Department of Children and Family Services or the  
14 Department of Early Childhood or any licensee. Any employee of  
15 the Department of Children and Family Services, Department of  
16 Early Childhood, Illinois State Police, or a child care  
17 facility receiving confidential information under this Section  
18 who gives or causes to be given any confidential information  
19 concerning any criminal convictions of an applicant, employee,  
20 or volunteer of a child care facility or non-licensed service  
21 provider, shall be guilty of a Class A misdemeanor unless  
22 release of such information is authorized by this Section.

23 The Department of Children and Family Services or the  
24 Department of Early Childhood shall allow day care centers,  
25 day care homes, and group day care homes to ~~A child care~~  
26 ~~facility may hire,~~ on a probationary basis, any employee or

1 ~~volunteer of a child care facility or non-licensed service~~  
2 ~~provider~~ authorizing a criminal background investigation under  
3 this Section, after completing either: ~~pending the result of~~  
4 ~~such investigation~~

5 (1) the Federal Bureau of Investigation fingerprint  
6 criminal background check; or

7 (2) the Illinois State Police fingerprint criminal  
8 background check and a criminal record check of the  
9 criminal repository of each state in which the employee or  
10 volunteer resided during the preceding 5 years.

11 Pending completion of all background check requirements,  
12 the prospective employee or volunteer must be supervised at  
13 all times by an individual who received a qualifying result on  
14 all background check components. Employees and volunteers of a  
15 day care center, day care home, or group day care home ~~child~~  
16 ~~care facility or non-licensed service provider~~ shall be  
17 notified prior to hiring that such employment may be  
18 terminated on the basis of criminal background information  
19 obtained by the facility.

20 No later than July 1, 2026, the Department of Early  
21 Childhood shall establish a secure background check portal  
22 that is accessible, at minimum, to applicants, child care  
23 staff, human resources representatives, and day care licensing  
24 representatives and that has the following capabilities:

25 (1) allows individuals to fill out all background  
26 check authorization forms online and upload and submit all

1 documents deemed necessary by the Department of Early  
2 Childhood;

3 (2) allows necessary parties to provide electronic  
4 signatures on any background check documents;

5 (3) allows individuals to check the status of the  
6 background checks;

7 (4) notifies the appropriate individual if information  
8 or documents are missing;

9 (5) includes a search feature that allows necessary  
10 parties to view if an applicant's background check  
11 clearance has been issued within the past 5 years or if the  
12 background check has expired;

13 (6) allows necessary parties to view and print any  
14 background check clearance letters;

15 (7) allows a background check clearance letter to be  
16 tied to more than one license number; and

17 (8) allows applicants to upload a background check  
18 clearance letter, if the applicant has lived in another  
19 state within the past 5 years, to satisfy the requirement  
20 for an interstate background check.

21 The Department of Early Childhood shall also publicize  
22 a contact number for its background check unit that allows  
23 interested parties to inquire about background checks.

24 (Source: P.A. 102-538, eff. 8-20-21; 103-22, eff. 8-8-23;  
25 103-594, eff. 7-1-26.)

1 (225 ILCS 10/5) (from Ch. 23, par. 2215)

2 (Text of Section before amendment by P.A. 103-594)

3 Sec. 5. (a) In respect to child care institutions,  
4 maternity centers, child welfare agencies, day care centers,  
5 day care agencies and group homes, the Department, upon  
6 receiving application filed in proper order, shall examine the  
7 facilities and persons responsible for care of children  
8 therein.

9 (b) In respect to foster family and day care homes,  
10 applications may be filed on behalf of such homes by a licensed  
11 child welfare agency, by a State agency authorized to place  
12 children in foster care or by out-of-State agencies approved  
13 by the Department to place children in this State. In respect  
14 to day care homes, applications may be filed on behalf of such  
15 homes by a licensed day care agency or licensed child welfare  
16 agency. In applying for license in behalf of a home in which  
17 children are placed by and remain under supervision of the  
18 applicant agency, such agency shall certify that the home and  
19 persons responsible for care of unrelated children therein, or  
20 the home and relatives, as defined in Section 2.17 of this Act,  
21 responsible for the care of related children therein, were  
22 found to be in reasonable compliance with standards prescribed  
23 by the Department for the type of care indicated.

24 (c) The Department shall not allow any person to examine  
25 facilities under a provision of this Act who has not passed an  
26 examination demonstrating that such person is familiar with

1 this Act and with the appropriate standards and regulations of  
2 the Department.

3 (d) With the exception of day care centers, day care  
4 homes, and group day care homes, licenses shall be issued in  
5 such form and manner as prescribed by the Department and are  
6 valid for 4 years from the date issued, unless revoked by the  
7 Department or voluntarily surrendered by the licensee.  
8 Licenses issued for day care centers, day care homes, and  
9 group day care homes shall be valid for 5 years ~~3 years~~ from  
10 the date issued, unless revoked by the Department or  
11 voluntarily surrendered by the licensee. When a licensee has  
12 made timely and sufficient application for the renewal of a  
13 license or a new license with reference to any activity of a  
14 continuing nature, the existing license shall continue in full  
15 force and effect for up to 30 days until the final agency  
16 decision on the application has been made. The Department may  
17 further extend the period in which such decision must be made  
18 in individual cases for up to 30 days, but such extensions  
19 shall be only upon good cause shown.

20 (e) The Department may issue one 6-month permit to a newly  
21 established facility for child care to allow that facility  
22 reasonable time to become eligible for a full license. If the  
23 facility for child care is a foster family home, or day care  
24 home the Department may issue one 2-month permit only.

25 (f) The Department may issue an emergency permit to a  
26 child care facility taking in children as a result of the

1 temporary closure for more than 2 weeks of a licensed child  
2 care facility due to a natural disaster. An emergency permit  
3 under this subsection shall be issued to a facility only if the  
4 persons providing child care services at the facility were  
5 employees of the temporarily closed day care center at the  
6 time it was closed. No investigation of an employee of a child  
7 care facility receiving an emergency permit under this  
8 subsection shall be required if that employee has previously  
9 been investigated at another child care facility. No emergency  
10 permit issued under this subsection shall be valid for more  
11 than 90 days after the date of issuance.

12 (g) During the hours of operation of any licensed child  
13 care facility, authorized representatives of the Department  
14 may without notice visit the facility for the purpose of  
15 determining its continuing compliance with this Act or  
16 regulations adopted pursuant thereto.

17 (h) Day care centers, day care homes, and group day care  
18 homes shall be monitored at least annually by a licensing  
19 representative from the Department or the agency that  
20 recommended licensure.

21 (i) Full monitoring and inspection reports, along with any  
22 corrective actions taken by the provider, shall be posted in  
23 plain language within 30 days after the creation of the report  
24 on the Department's consumer education website.

25 (Source: P.A. 98-804, eff. 1-1-15.)

1 (Text of Section after amendment by P.A. 103-594)

2 Sec. 5. (a) This Section does not apply to any day care  
3 center, day care home, or group day care home.

4 In respect to child care institutions, maternity centers,  
5 child welfare agencies, and group homes, the Department, upon  
6 receiving application filed in proper order, shall examine the  
7 facilities and persons responsible for care of children  
8 therein.

9 (b) In respect to foster family homes, applications may be  
10 filed on behalf of such homes by a licensed child welfare  
11 agency, by a State agency authorized to place children in  
12 foster care or by out-of-State agencies approved by the  
13 Department to place children in this State. In applying for  
14 license in behalf of a home in which children are placed by and  
15 remain under supervision of the applicant agency, such agency  
16 shall certify that the home and persons responsible for care  
17 of unrelated children therein, or the home and relatives, as  
18 defined in Section 2.17 of this Act, responsible for the care  
19 of related children therein, were found to be in reasonable  
20 compliance with standards prescribed by the Department for the  
21 type of care indicated.

22 (c) The Department shall not allow any person to examine  
23 facilities under a provision of this Act who has not passed an  
24 examination demonstrating that such person is familiar with  
25 this Act and with the appropriate standards and regulations of  
26 the Department.

1           (d) Licenses shall be issued in such form and manner as  
2 prescribed by the Department and are valid for 4 years from the  
3 date issued, unless revoked by the Department or voluntarily  
4 surrendered by the licensee. When a licensee has made timely  
5 and sufficient application for the renewal of a license or a  
6 new license with reference to any activity of a continuing  
7 nature, the existing license shall continue in full force and  
8 effect for up to 30 days until the final agency decision on the  
9 application has been made. The Department may further extend  
10 the period in which such decision must be made in individual  
11 cases for up to 30 days, but such extensions shall be only upon  
12 good cause shown.

13           (e) The Department may issue one 6-month permit to a newly  
14 established facility for child care to allow that facility  
15 reasonable time to become eligible for a full license. If the  
16 facility for child care is a foster family home, the  
17 Department may issue one 2-month permit only.

18           (f) The Department may issue an emergency permit to a  
19 child care facility taking in children as a result of the  
20 temporary closure for more than 2 weeks of a licensed child  
21 care facility due to a natural disaster. An emergency permit  
22 under this subsection shall be issued to a facility only if the  
23 persons providing child care services at the facility were  
24 employees of the temporarily closed facility at the time it  
25 was closed. No investigation of an employee of a child care  
26 facility receiving an emergency permit under this subsection

1 shall be required if that employee has previously been  
2 investigated at another child care facility. No emergency  
3 permit issued under this subsection shall be valid for more  
4 than 90 days after the date of issuance.

5 (g) During the hours of operation of any licensed child  
6 care facility, authorized representatives of the Department  
7 may without notice visit the facility for the purpose of  
8 determining its continuing compliance with this Act or  
9 regulations adopted pursuant thereto.

10 (h) (Blank).

11 (Source: P.A. 103-594, eff. 7-1-26.)

12 (225 ILCS 10/5.01)

13 (This Section may contain text from a Public Act with a  
14 delayed effective date)

15 Sec. 5.01. Licenses; permits; Department of Early  
16 Childhood.

17 (a) In respect to day care centers, the Department of  
18 Early Childhood, upon receiving application filed in proper  
19 order, shall examine the facilities and persons responsible  
20 for care of children therein.

21 (b) In respect to day care homes, applications may be  
22 filed on behalf of such homes by the Department of Early  
23 Childhood.

24 (c) The Department of Early Childhood shall not allow any  
25 person to examine facilities under a provision of this Act who

1 has not passed an examination demonstrating that such person  
2 is familiar with this Act and with the appropriate standards  
3 and regulations of the Department of Early Childhood.

4 (d) Licenses issued for day care centers, day care homes,  
5 and group day care homes shall be valid for 5 years ~~3 years~~  
6 from the date issued, unless revoked by the Department of  
7 Early Childhood or voluntarily surrendered by the licensee.  
8 When a licensee has made timely and sufficient application for  
9 the renewal of a license or a new license with reference to any  
10 activity of a continuing nature, the existing license shall  
11 continue in full force and effect for up to 30 days until the  
12 final agency decision on the application has been made. The  
13 Department of Early Childhood may further extend the period in  
14 which such decision must be made in individual cases for up to  
15 30 days, but such extensions shall be only upon good cause  
16 shown.

17 (e) The Department of Early Childhood may issue one  
18 6-month permit to a newly established facility for child care  
19 to allow that facility reasonable time to become eligible for  
20 a full license. If the facility for child care is a day care  
21 home the Department of Early Childhood may issue one 2-month  
22 permit only.

23 (f) The Department of Early Childhood may issue an  
24 emergency permit to a day care center taking in children as a  
25 result of the temporary closure for more than 2 weeks of a  
26 licensed child care facility due to a natural disaster. An

1 emergency permit under this subsection shall be issued to a  
2 facility only if the persons providing child care services at  
3 the facility were employees of the temporarily closed day care  
4 center at the time it was closed. No investigation of an  
5 employee of a child care facility receiving an emergency  
6 permit under this subsection shall be required if that  
7 employee has previously been investigated at another child  
8 care facility. No emergency permit issued under this  
9 subsection shall be valid for more than 90 days after the date  
10 of issuance.

11 (g) During the hours of operation of any licensed day care  
12 center, day care home, or group day care home, authorized  
13 representatives of the Department of Early Childhood may  
14 without notice visit the facility for the purpose of  
15 determining its continuing compliance with this Act or rules  
16 adopted pursuant thereto.

17 (h) Day care centers, day care homes, and group day care  
18 homes shall be monitored at least annually by a licensing  
19 representative from the Department of Early Childhood that  
20 recommended licensure.

21 (i) Full monitoring and inspection reports, along with any  
22 corrective actions taken by the provider, shall be posted in  
23 plain language within 30 days after the creation of the report  
24 on the Department of Early Childhood's consumer education  
25 website.

26 (Source: P.A. 103-594, eff. 7-1-26; revised 10-21-24.)

1 (225 ILCS 10/7.10)

2 (Text of Section before amendment by P.A. 103-594)

3 Sec. 7.10. Licensing orientation program and progress  
4 report.

5 (a) For the purposes of this Section, "child day care  
6 licensing" or "day care licensing" means licensing of day care  
7 centers, day care homes, and group day care homes.

8 (a-5) In addition to current day care ~~daycare~~ training and  
9 subject to appropriations, the Department or any State agency  
10 that assumes day care center licensing responsibilities shall  
11 host licensing orientation programs to help educate potential  
12 day care center, day care home, and group day care home  
13 providers about the child day care licensing process. The  
14 programs shall be made available in person and virtually. The  
15 Department or its successor shall offer to host licensing  
16 orientation programs at least twice annually in each  
17 Representative District in the State. Additionally, if one or  
18 more persons request that a program be offered in a language  
19 other than English, then the Department or its successor must  
20 accommodate the request.

21 (b) No later than September 30th of each year, the  
22 Department shall provide the General Assembly with a  
23 comprehensive report on its progress in meeting performance  
24 measures and goals related to child day care licensing.

25 (c) The report shall include:

1 (1) details on the funding for child day care  
2 licensing, including:

3 (A) the total number of full-time employees  
4 working on child day care licensing;

5 (B) the names of all sources of revenue used to  
6 support child day care licensing;

7 (C) the amount of expenditures that is claimed  
8 against federal funding sources;

9 (D) the identity of federal funding sources; and

10 (E) how funds are appropriated, including  
11 appropriations for line staff, support staff,  
12 supervisory staff, and training and other expenses and  
13 the funding history of such licensing since fiscal  
14 year 2010;

15 (2) current staffing qualifications of day care  
16 licensing representatives and day care licensing  
17 supervisors in comparison with staffing qualifications  
18 specified in the job description;

19 (3) data history for fiscal year 2010 to the current  
20 fiscal year on day care licensing representative caseloads  
21 and staffing levels in all areas of the State;

22 (4) per the DCFS Child Day Care Licensing Advisory  
23 Council's work plan, quarterly data on the following  
24 measures:

25 (A) the number and percentage of new applications  
26 disposed of within 90 days;

- 1 (B) the percentage of licenses renewed on time;
- 2 (C) the percentage of day care centers receiving  
3 timely annual monitoring visits;
- 4 (D) the percentage of day care homes receiving  
5 timely annual monitoring visits;
- 6 (E) the percentage of group day care homes  
7 receiving timely annual monitoring visits;
- 8 (F) the percentage of provider requests for  
9 supervisory review;
- 10 (G) the progress on adopting a key indicator  
11 system;
- 12 (H) the percentage of complaints disposed of  
13 within 30 days;
- 14 (I) the average number of days a day care center  
15 applicant must wait to attend a licensing orientation;
- 16 (J) the number of licensing orientation sessions  
17 available per region in the past year; and
- 18 (K) the number of Department trainings related to  
19 licensing and child development available to providers  
20 in the past year; ~~and~~
- 21 (5) efforts to coordinate with the Department of Human  
22 Services and the State Board of Education on professional  
23 development, credentialing issues, and child developers,  
24 including training registry, child developers, and Quality  
25 Rating and Improvement Systems (QRIS); and ~~—~~
- 26 (6) details regarding the processing of background

1       checks, including the average number of days it takes for  
2       the background check unit to complete a series of  
3       background checks and issue a background check clearance  
4       required under the Child Care and Development Block Grant.

5       (d) The Department shall work with the Governor's  
6       appointed Early Learning Council on issues related to and  
7       concerning child day care.

8       (Source: P.A. 103-805, eff. 1-1-25; revised 10-10-24.)

9       (Text of Section after amendment by P.A. 103-594)

10       Sec. 7.10. Licensing orientation program and progress  
11       report.

12       (a) For the purposes of this Section, "child day care  
13       licensing" or "day care licensing" means licensing of day care  
14       centers, day care homes, and group day care homes.

15       (a-5) In addition to current day care ~~daycare~~ training and  
16       subject to appropriations, the Department or any State agency  
17       that assumes day care center licensing responsibilities shall  
18       host licensing orientation programs to help educate potential  
19       day care center, day care home, and group day care home  
20       providers about the child day care licensing process. The  
21       programs shall be made available in person and virtually. The  
22       Department or its successor shall offer to host licensing  
23       orientation programs at least twice annually in each  
24       Representative District in the State. Additionally, if one or  
25       more persons request that a program be offered in a language

1 other than English, then the Department or its successor must  
2 accommodate the request.

3 (b) No later than September 30th of each year, the  
4 Department of Early Childhood shall provide the General  
5 Assembly with a comprehensive report on its progress in  
6 meeting performance measures and goals related to child day  
7 care licensing.

8 (c) The report shall include:

9 (1) details on the funding for child day care  
10 licensing, including:

11 (A) the total number of full-time employees  
12 working on child day care licensing;

13 (B) the names of all sources of revenue used to  
14 support child day care licensing;

15 (C) the amount of expenditures that is claimed  
16 against federal funding sources;

17 (D) the identity of federal funding sources; and

18 (E) how funds are appropriated, including  
19 appropriations for line staff, support staff,  
20 supervisory staff, and training and other expenses and  
21 the funding history of such licensing since fiscal  
22 year 2010;

23 (2) current staffing qualifications of day care  
24 licensing representatives and day care licensing  
25 supervisors in comparison with staffing qualifications  
26 specified in the job description;

1 (3) data history for fiscal year 2010 to the current  
2 fiscal year on day care licensing representative caseloads  
3 and staffing levels in all areas of the State;

4 (4) per the DCFS Child Day Care Licensing Advisory  
5 Council's work plan, quarterly data on the following  
6 measures:

7 (A) the number and percentage of new applications  
8 disposed of within 90 days;

9 (B) the percentage of licenses renewed on time;

10 (C) the percentage of day care centers receiving  
11 timely annual monitoring visits;

12 (D) the percentage of day care homes receiving  
13 timely annual monitoring visits;

14 (E) the percentage of group day care homes  
15 receiving timely annual monitoring visits;

16 (F) the percentage of provider requests for  
17 supervisory review;

18 (G) the progress on adopting a key indicator  
19 system;

20 (H) the percentage of complaints disposed of  
21 within 30 days;

22 (I) the average number of days a day care center  
23 applicant must wait to attend a licensing orientation;

24 (J) the number of licensing orientation sessions  
25 available per region in the past year; and

26 (K) the number of Department of Early Childhood

1 trainings related to licensing and child development  
2 available to providers in the past year; ~~and~~

3 (5) efforts to coordinate with the Department of Human  
4 Services and the State Board of Education on professional  
5 development, credentialing issues, and child developers,  
6 including training registry, child developers, and Quality  
7 Rating and Improvement Systems (QRIS); and -

8 (6) details regarding the processing of background  
9 checks, including the average number of days it takes for  
10 the background check unit to complete a series of  
11 background checks and issue a background check clearance  
12 required under the Child Care and Development Block Grant.

13 (d) The Department of Early Childhood shall work with the  
14 Governor's appointed Early Learning Council on issues related  
15 to and concerning child day care.

16 (Source: P.A. 103-594, eff. 7-1-26; 103-805, eff. 1-1-25;  
17 revised 11-26-24.)

18 (225 ILCS 10/9.1c)

19 (Text of Section before amendment by P.A. 103-594)

20 Sec. 9.1c. Public database of day care homes, group day  
21 care homes, and day care centers; license status. No later  
22 than July 1, 2018, the Department shall establish and maintain  
23 on its official website a searchable database, freely  
24 accessible to the public, that provides the following  
25 information on each day care home, group day care home, and day

1 care center licensed by the Department: whether, within the  
2 past 5 years, the day care home, group day care home, or day  
3 care center has had its license revoked by or surrendered to  
4 the Department during a child abuse or neglect investigation  
5 or its application for a renewal of its license was denied by  
6 the Department, and, if so, the dates upon which the license  
7 was revoked by or surrendered to the Department or the  
8 application for a renewal of the license was denied by the  
9 Department. The Department may adopt any rules necessary to  
10 implement this Section. Nothing in this Section shall be  
11 construed to allow or authorize the Department to release or  
12 disclose any information that is prohibited from public  
13 disclosure under this Act or under any other State or federal  
14 law.

15 (Source: P.A. 100-52, eff. 1-1-18.)

16 (Text of Section after amendment by P.A. 103-594)

17 Sec. 9.1c. Public consumer education website ~~database of~~  
18 ~~day care homes, group day care homes, and day care centers;~~  
19 ~~license status.~~ By July 1, 2026, the ~~The~~ Department of Early  
20 Childhood shall establish and maintain on its official  
21 consumer education website the following information, which  
22 shall be freely accessible to day care homes, group day care  
23 homes, and day care centers licensed by the Department,  
24 parents, providers, and the public:

25 (a) A ~~a~~ searchable database, freely accessible to the

1 ~~public,~~ that provides the following information on each day  
2 care home, group day care home, and day care center licensed by  
3 the Department of Early Childhood: whether, within the past 5  
4 years, the day care home, group day care home, or day care  
5 center has had its license revoked by or surrendered to the  
6 Department of Children and Family Services or the Department  
7 of Early Childhood during a child abuse or neglect  
8 investigation or its application for a renewal of its license  
9 was denied by the Department of Children and Family Services  
10 or the Department of Early Childhood, and, if so, the dates  
11 upon which the license was revoked by or surrendered to the  
12 Department of Children and Family Services or the Department  
13 of Early Childhood or the application for a renewal of the  
14 license was denied by the Department of Children and Family  
15 Services or the Department of Early Childhood.

16 (b) A central repository for the initial licensing  
17 application materials and renewal forms, as well as any other  
18 licensing information, including, but not limited to,  
19 guidance, rules, policy, standards, and statutes. The website  
20 must be updated immediately upon any changes to licensing  
21 guidance, rules, policy, or statute and valid weblinks must be  
22 provided. All materials and changes to licensing guidance,  
23 rules, policy, or statute shall be translated into additional  
24 languages, including, but not limited to, Spanish, Polish, and  
25 Arabic.

26 (c) Forum, town hall, and public meeting information shall

1 be on the Department's official consumer education website in,  
2 at minimum, 14 days in advance of the forum, town hall, or  
3 public meeting. The Department shall host statewide virtual  
4 forums or town halls on, at minimum, a quarterly basis, with  
5 the purpose of updating day care providers on changes to  
6 licensing policies and procedures and allowing day care  
7 providers to ask questions. If one or more persons request  
8 that a forum or town hall be offered in a language other than  
9 English, then the Department shall accommodate the request.

10 (d) If the Department submits proposed or emergency  
11 rulemaking to the Joint Committee on Administrative Rules, the  
12 Department shall hold, at minimum, 2 statewide virtual forums  
13 or town halls to explain the rulemaking changes, gather  
14 feedback, and inform the public of the process to submit  
15 written comments. The forums or town halls shall be held  
16 within 2 weeks of the rulemaking's publication in the Illinois  
17 Register. If one or more persons request that a forum or town  
18 hall be offered in a language other than English, then the  
19 Department shall accommodate the request.

20 The Department of Early Childhood may adopt any rules  
21 necessary to implement this Section. Nothing in this Section  
22 shall be construed to allow or authorize the Department of  
23 Early Childhood to release or disclose any information that is  
24 prohibited from public disclosure under this Act or under any  
25 other State or federal law.

26 (Source: P.A. 103-594, eff. 7-1-26.)

1           Section 10. The Missing Children Records Act is amended by  
2 changing Section 5 as follows:

3           (325 ILCS 50/5) (from Ch. 23, par. 2285)

4           Sec. 5. Duties of school or other entity.

5           (a) Upon notification by the Illinois State Police of a  
6 person's disappearance, a school, preschool educational  
7 program, child care facility, or day care home or group day  
8 care home in which the person is currently or was previously  
9 enrolled shall flag the record of that person in such a manner  
10 that whenever a copy of or information regarding the record is  
11 requested, the school or other entity shall be alerted to the  
12 fact that the record is that of a missing person. The school or  
13 other entity shall immediately report to the Illinois State  
14 Police any request concerning flagged records or knowledge as  
15 to the whereabouts of any missing person. Upon notification by  
16 the Illinois State Police that the missing person has been  
17 recovered, the school or other entity shall remove the flag  
18 from the person's record.

19           (b) (1) For every child enrolled in a particular  
20 elementary or secondary school, public or private preschool  
21 educational program, public or private child care facility  
22 licensed under the Child Care Act of 1969, or day care home or  
23 group day care home licensed under the Child Care Act of 1969,  
24 that school or other entity shall notify in writing the person

1 enrolling the child that within 30 days he must provide either  
2 (i) a certified copy of the child's birth certificate or (ii)  
3 other reliable proof, as determined by the Illinois State  
4 Police, of the child's identity and age and an affidavit  
5 explaining the inability to produce a copy of the birth  
6 certificate. Other reliable proof of the child's identity and  
7 age shall include a passport, visa or other governmental  
8 documentation of the child's identity. By September 30, 2025,  
9 the Illinois State Police shall publish a list of acceptable  
10 governmental documentation that provides satisfactory proof of  
11 the child's identity and age. A grace period of up to 90  
12 calendar days after the first date of attendance should be  
13 allowed for the person enrolling the child to provide any  
14 other reliable documentation that has been identified. When  
15 the person enrolling the child provides the school or other  
16 entity with a certified copy of the child's birth certificate  
17 or other reliable documentation of the child's identity and  
18 age, the school or other entity shall promptly make a copy of  
19 the certified copy or other reliable documentation for its  
20 records and return the original certified copy or other  
21 reliable documentation to the person enrolling the child. Once  
22 a school or other entity has been provided with a certified  
23 copy of a child's birth certificate as required under item (i)  
24 of this subdivision (b)(1), the school or other entity need  
25 not request another such certified copy with respect to that  
26 child for any other year in which the child is enrolled in that

1 school or other entity.

2 (2) Upon the failure of a person enrolling a child to  
3 comply with subsection (b) (1), the school or other entity  
4 shall immediately notify the Illinois State Police or local  
5 law enforcement agency of such failure, and shall notify the  
6 person enrolling the child in writing that he has 10  
7 additional days to comply.

8 (3) The school or other entity shall immediately report to  
9 the Illinois State Police any affidavit received pursuant to  
10 this subsection which appears inaccurate or suspicious in form  
11 or content.

12 (c) Within 14 days after enrolling a transfer student, the  
13 elementary or secondary school shall request directly from the  
14 student's previous school a certified copy of his record. The  
15 requesting school shall exercise due diligence in obtaining  
16 the copy of the record requested. Any elementary or secondary  
17 school requested to forward a copy of a transferring student's  
18 record to the new school shall comply within 10 days of receipt  
19 of the request unless the record has been flagged pursuant to  
20 subsection (a), in which case the copy shall not be forwarded  
21 and the requested school shall notify the Illinois State  
22 Police or local law enforcement authority of the request.

23 (Source: P.A. 102-538, eff. 8-20-21.)

24 Section 95. No acceleration or delay. Where this Act makes  
25 changes in a statute that is represented in this Act by text

1 that is not yet or no longer in effect (for example, a Section  
2 represented by multiple versions), the use of that text does  
3 not accelerate or delay the taking effect of (i) the changes  
4 made by this Act or (ii) provisions derived from any other  
5 Public Act.