



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB4975

by Rep. Jed Davis

SYNOPSIS AS INTRODUCED:

325 ILCS 5/7.4b new

Amends the Abused and Neglected Child Reporting Act. Provides that whenever the Department of Children and Family Services takes protective custody of a child following a report of suspected child abuse or neglect and a petition for temporary custody of the child is filed by the State's Attorney in accordance with the Juvenile Court Act of 1987, the Child Protective Service Unit assigned to investigate the initial report shall continue and complete its investigation even if, after the temporary custody hearing, the Department is granted temporary custody of the child. Provides that the Unit's investigation shall not be closed solely because the court issues an order of temporary custody over the child to the Department; and that the court's decision to grant temporary custody of the child to the Department may not, under any circumstances, be considered by the Child Protective Service Unit when making its determination on whether the investigated report indicates abuse or neglect. Provides that a Child Protective Service Unit shall not end its investigation of a report of suspected child abuse or neglect until the Unit completes the investigation as prescribed under specified administrative rules and procedures. Contains provisions on final investigative summary requirements and oversight and compliance actions. Effective January 1, 2027.

LRB104 17889 KTG 31325 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 5. The Abused and Neglected Child Reporting Act is
5 amended by adding Section 7.4b as follows:

6 (325 ILCS 5/7.4b new)

7 Sec. 7.4b. Complete investigation requirement.

8 (a) Findings. The General Assembly finds that:

9 (1) Protective custody decisions are emergency
10 actions, not final investigative results.

11 (2) The Department of Children and Family Services
12 frequently halts investigations after court involvement,
13 leaving important facts unexamined.

14 (3) The rights of parents to raise their children are
15 among the oldest and most fundamental liberty interests
16 that our country protects.

17 (4) Inadequate, improper, or incomplete investigations
18 by the Department of Children and Family Services present
19 a serious infringement on that right.

20 (5) The Department of Children and Family Services'
21 rules, procedures, standardized forms and standardized
22 notices in effect as of January 1, 2026 are the
23 constitutionally minimum investigation obligations for

1 child protective service units to conduct a full and
2 complete investigation into allegations of child abuse or
3 neglect.

4 (b) Requirement of continued investigation. Whenever the
5 Department takes protective custody of a child following a
6 report of suspected child abuse or neglect and a petition for
7 temporary custody of the child is filed by the State's
8 Attorney in accordance with Section 2-13 of the Juvenile Court
9 Act of 1987, the Child Protective Service Unit assigned to
10 investigate the initial report shall continue and complete its
11 investigation as required in subsection (c) even if, after the
12 temporary custody hearing, the Department is granted temporary
13 custody of the child. The Unit's investigation shall not be
14 closed solely because the court issues an order of temporary
15 custody over the child to the Department in accordance with
16 Section 2-10 of the Juvenile Court Act of 1987. A court's
17 decision to grant temporary custody of the child to the
18 Department may not, under any circumstances, be considered by
19 the Child Protective Service Unit when making its
20 determination on whether the investigated report indicates
21 abuse or neglect.

22 (c) Elements of a complete investigation. A Child
23 Protective Service Unit shall not end its investigation of a
24 report of suspected child abuse or neglect until the Unit
25 completes the investigation as prescribed under 89 Ill. Adm.
26 Code 300 and the Department's Procedures 300 Reports of Child

1 Abuse and Neglect, including, but not limited to, the
2 investigatory obligations stated in Procedures 300.50, or any
3 other related Department rules or procedures.

4 (d) Final investigative summary. The Child Protective
5 Service Unit shall complete a written investigative summary
6 that complies with the Department's Procedures 300 Sections
7 300.50(i) (Assessment of Case Information and Evidence),
8 300.50(k) (Final Determinations), and 300.70(j) (Final
9 Supervisory Conference), or any successor provisions,
10 including, but not limited to, full and complete information,
11 both inculpatory and exculpatory, about the facts gathered,
12 credibility assessments, unresolved discrepancies, and the
13 rationale supporting an indicated or unfounded determination.
14 The written investigative summary mandated by this subsection
15 shall be completed regardless of whether the alleged child
16 victim or any other child remains in protective custody.

17 (e) Oversight and compliance. Failure on the part of a
18 child protective investigator or any other Child Protective
19 Service Unit member to complete an investigation in accordance
20 with this Section shall be grounds for supervisory review,
21 corrective action, and internal discipline as prescribed by
22 the Department.

23 Section 99. Effective date. This Act takes effect January
24 1, 2027.