



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB1913

Introduced 2/6/2025, by Sen. Mattie Hunter

SYNOPSIS AS INTRODUCED:

225 ILCS 10/4.1a new

Amends the Child Care Act of 1969. Provides that an entity that contracts with the Department of Children and Family Services, the Department of Early Childhood, a child care facility, or a non-licensed service provider to provide a service that places the entity's employees in a child care facility shall require each employee who is placed or will be placed in such a facility to undergo a criminal background investigation. Provides that each entity shall submit an applicable employee's fingerprints to the Illinois State Police in the form and manner prescribed by the Illinois State Police. Sets forth provisions concerning the processing of an employee's fingerprints and actions that the Illinois State Police shall take regarding the criminal background investigation. Provides that information concerning the convictions of an entity's employee who is placed or will be placed in a child care facility and who is investigated, including the source of the information and any conclusions or recommendations derived from the information, shall be provided, upon request, to such entity and the entity's employee prior to final action by the Department of Children and Family Services or the Department of Early Childhood under the agencies' respective authority on the application. Sets forth provisions concerning the transmission of information about an employee's criminal charges and the protection of confidential information. Provides that any employee of the Department of Children and Family Services, the Department of Early Childhood, the Illinois State Police, or a child care facility receiving confidential information who gives or causes to be given any confidential information concerning any criminal convictions of an applicant, employee, or volunteer of a child care facility or non-licensed service provider or an employee who is placed in a child care facility by a contracted entity, shall be guilty of a Class A misdemeanor unless release of such information is authorized by the provisions concerning criminal background investigations.

LRB104 10458 AAS 20533 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 adding
5 Section 4.1a as follows:

6 (225 ILCS 10/4.1a new)

7 Sec. 4.1a. Criminal background investigations; contracted
8 entities.

9 (a) An entity that contracts with the Department of
10 Children and Family Services, the Department of Early
11 Childhood, a child care facility, or a non-licensed service
12 provider to provide a service that places the entity's
13 employees in a child care facility shall require each employee
14 who is placed or will be placed in such a facility to undergo a
15 criminal background investigation. Each entity shall submit an
16 applicable employee's fingerprints to the Illinois State
17 Police in the form and manner prescribed by the Illinois State
18 Police. These fingerprints shall be checked against the
19 fingerprint records now and hereafter filed in the Illinois
20 State Police and Federal Bureau of Investigation criminal
21 history records databases. The Illinois State Police shall
22 charge a fee for conducting the criminal history records
23 check, which shall be deposited into the State Police Services

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

9 (b) Information concerning the convictions of an entity's
10 employee who is placed, either currently or in the future, in a
11 child care facility and who is investigated under this
12 Section, including the source of the information and any
13 conclusions or recommendations derived from the information,
14 shall be provided, upon request, to such entity and the
15 entity's employee prior to final action by the Department of
16 Children and Family Services or the Department of Early
17 Childhood under the agencies' respective authority on the
18 application. State conviction information provided by the
19 Illinois State Police regarding an entity's employee under
20 this Act shall be provided to the operator of such facility,
21 and, upon request, to such entity and the entity's employee.
22 Any information concerning criminal charges and the
23 disposition of such charges obtained by the Department of
24 Children and Family Services or the Department of Early
25 Childhood shall be confidential and may not be transmitted
26 outside the Department of Children and Family Services or the

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