

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 Section 2.17 and by adding Section 3.6 as follows:

6 (225 ILCS 10/2.17) (from Ch. 23, par. 2212.17)

7 Sec. 2.17. "Foster family home" means a facility for child  
8 care in residences of families who receive no more than 6  
9 children unrelated to them, unless all the children are of  
10 common parentage, or residences of relatives who receive no  
11 more than 6 related children placed by the Department, unless  
12 the children are of common parentage, for the purpose of  
13 providing family care and training for the children on a  
14 full-time basis, except the Director of Children and Family  
15 Services, pursuant to Department regulations, may waive the  
16 numerical limitation of foster children who may be cared for  
17 in a foster family home for any of the following reasons to  
18 allow: (1) a parenting youth in foster care to remain with the  
19 child of the parenting youth; (2) siblings to remain together;  
20 (3) a child with an established meaningful relationship with  
21 the family to remain with the family; or (4) a family with  
22 special training or skills to provide care to a child who has a  
23 severe disability. The family's or relative's own children,

1 under 18 years of age, shall be included in determining the  
2 maximum number of children served. For purposes of this  
3 Section, a "relative" includes any person, 21 years of age or  
4 over, other than the parent, who (i) is currently related to  
5 the child in any of the following ways by blood or adoption:  
6 grandparent, sibling, great-grandparent, uncle, aunt, nephew,  
7 niece, first cousin, great-uncle, or great-aunt; or (ii) is  
8 the spouse of such a relative; or (iii) is a child's  
9 step-father, step-mother, or adult step-brother or  
10 step-sister; or (iv) is a fictive kin; "relative" also  
11 includes a person related in any of the foregoing ways to a  
12 sibling of a child, even though the person is not related to  
13 the child, when the child and its sibling are placed together  
14 with that person. For purposes of placement of children  
15 pursuant to Section 7 of the Children and Family Services Act  
16 and for purposes of licensing requirements set forth in  
17 Section 4 of this Act, for children under the custody or  
18 guardianship of the Department pursuant to the Juvenile Court  
19 Act of 1987, after a parent signs a consent, surrender, or  
20 waiver or after a parent's rights are otherwise terminated,  
21 and while the child remains in the custody or guardianship of  
22 the Department, the child is considered to be related to those  
23 to whom the child was related under this Section prior to the  
24 signing of the consent, surrender, or waiver or the order of  
25 termination of parental rights. The term "foster family home"  
26 includes homes receiving children from any State-operated

1 institution for child care; or from any agency established by  
2 a municipality or other political subdivision of the State of  
3 Illinois authorized to provide care for children outside their  
4 own homes. The term "foster family home" does not include an  
5 "adoption-only home" as defined in Section 2.23 of this Act.  
6 The types of foster family homes are defined as follows:

7 (a) "Boarding home" means a foster family home which  
8 receives payment for regular full-time care of a child or  
9 children.

10 (b) "Free home" means a foster family home other than  
11 an adoptive home which does not receive payments for the  
12 care of a child or children.

13 (c) "Adoptive home" means a foster family home which  
14 receives a child or children for the purpose of adopting  
15 the child or children, but does not include an  
16 adoption-only home.

17 (d) "Work-wage home" means a foster family home which  
18 receives a child or children who pay part or all of their  
19 board by rendering some services to the family not  
20 prohibited by the Child Labor Law or by standards or  
21 regulations of the Department prescribed under this Act.  
22 The child or children may receive a wage in connection  
23 with the services rendered the foster family.

24 (e) "Agency-supervised home" means a foster family  
25 home under the direct and regular supervision of a  
26 licensed child welfare agency, of the Department of

1 Children and Family Services, of a circuit court, or of  
2 any other State agency which has authority to place  
3 children in child care facilities, and which receives no  
4 more than 8 children, unless of common parentage, who are  
5 placed and are regularly supervised by one of the  
6 specified agencies.

7 (f) "Independent home" means a foster family home,  
8 other than an adoptive home, which receives no more than 4  
9 children, unless of common parentage, directly from  
10 parents, or other legally responsible persons, by  
11 independent arrangement and which is not subject to direct  
12 and regular supervision of a specified agency except as  
13 such supervision pertains to licensing by the Department.

14 (g) "Host home" means an emergency foster family home  
15 under the direction and regular supervision of a licensed  
16 child welfare agency, contracted to provide short-term  
17 crisis intervention services to youth served under the  
18 Comprehensive Community-Based Youth Services program,  
19 under the direction of the Department of Human Services.  
20 The youth shall not be under the custody or guardianship  
21 of the Department pursuant to the Juvenile Court Act of  
22 1987.

23 (Source: P.A. 101-63, eff. 7-12-19.)

24 (225 ILCS 10/3.6 new)

25 Sec. 3.6. Licenses for host homes. The Department shall

1 develop an appropriate licensing and monitoring system that  
2 recognizes the unique population and programming for youth  
3 served by the Comprehensive Community-Based Youth Services  
4 program. The Department shall maintain licensing staff who are  
5 knowledgeable of Comprehensive Community-Based Youth Services  
6 program standards, as set forth by the Department of Human  
7 Services. The Department of Human Services shall be solely  
8 responsible for the development and implementation of a  
9 training curriculum for host homes that recognizes the unique  
10 population and programming of youth served in Comprehensive  
11 Community-Based Youth Services. Host homes licensed by the  
12 Department shall not be utilized for a child who is a youth in  
13 care as defined in Section 4d of the Children and Family  
14 Services Act.

15 Section 99. Effective date. This Act takes effect July 1,  
16 2022.