



Rep. Anna Moeller

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10300HB2277ham001

LRB103 05264 SPS 58374 a

1 AMENDMENT TO HOUSE BILL 2277

2 AMENDMENT NO. _____. Amend House Bill 2277 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Child Care Act of 1969 is amended by
5 changing Section 2.09 as follows:

6 (225 ILCS 10/2.09) (from Ch. 23, par. 2212.09)

7 Sec. 2.09. "Day care center" means any child care facility
8 which regularly provides day care for less than 24 hours per
9 day for (1) more than 8 children in a family home, or (2) more
10 than 3 children in a facility other than a family home,
11 including senior citizen buildings.

12 The term does not include:

13 (a) programs operated by (i) public or private
14 elementary school systems or secondary level school units
15 or institutions of higher learning that serve children who
16 shall have attained the age of 3 years or (ii) private

1 entities on the grounds of public or private elementary or
2 secondary schools and that serve children who have
3 attained the age of 3 years, except that this exception
4 applies only to the facility and not to the private
5 entities' personnel operating the program;

6 (b) programs or that portion of the program which
7 serves children who shall have attained the age of 3 years
8 and which are recognized by the State Board of Education;

9 (c) educational program or programs serving children
10 who shall have attained the age of 3 years and which are
11 operated by a school which is registered with the State
12 Board of Education and which is recognized or accredited
13 by a recognized national or multistate educational
14 organization or association which regularly recognizes or
15 accredits schools;

16 (d) programs which exclusively serve or that portion
17 of the program which serves children with disabilities who
18 shall have attained the age of 3 years but are less than 21
19 years of age and which are registered and approved as
20 meeting standards of the State Board of Education and
21 applicable fire marshal standards;

22 (e) facilities operated in connection with a shopping
23 center or service, religious services, or other similar
24 facility, where transient children are cared for
25 temporarily while parents or custodians of the children
26 are occupied on the premises and readily available;

1 (f) any type of day care center that is conducted on
2 federal government premises;

3 (g) special activities programs, including athletics,
4 recreation, crafts instruction, and similar activities
5 conducted on an organized and periodic basis by civic,
6 charitable and governmental organizations, including, but
7 not limited to, programs offered by park districts
8 organized under the Park District Code to children who
9 shall have attained the age of 3 years old if the program
10 meets no more than 3.5 continuous hours at a time or less
11 and no more than 25 hours during any week, and the park
12 district conducts background investigations on employees
13 of the program pursuant to Section 8-23 of the Park
14 District Code;

15 (h) part day child care facilities, as defined in
16 Section 2.10 of this Act;

17 (i) programs or that portion of the program which:

18 (1) serves children who shall have attained the
19 age of 3 years;

20 (2) is operated by churches or religious
21 institutions as described in Section 501(c)(3) of the
22 federal Internal Revenue Code;

23 (3) receives no governmental aid;

24 (4) is operated as a component of a religious,
25 nonprofit elementary school;

26 (5) operates primarily to provide religious

1 education; and

2 (6) meets appropriate State or local health and
3 fire safety standards; or

4 (j) programs or portions of programs that:

5 (1) serve only school-age children and youth
6 (defined as full-time kindergarten children, as
7 defined in 89 Ill. Adm. Code 407.45, or older);

8 (2) are organized to promote childhood learning,
9 child and youth development, educational or
10 recreational activities, or character-building;

11 (3) operate primarily during out-of-school time or
12 at times when school is not normally in session;

13 (4) comply with the standards of the Illinois
14 Department of Public Health (77 Ill. Adm. Code 750) or
15 the local health department, the Illinois State Fire
16 Marshal (41 Ill. Adm. Code 100), and the following
17 additional health and safety requirements: procedures
18 for employee and volunteer emergency preparedness and
19 practice drills; procedures to ensure that first aid
20 kits are maintained and ready to use; the placement of
21 a minimum level of liability insurance as determined
22 by the Department; procedures for the availability of
23 a working telephone that is onsite and accessible at
24 all times; procedures to ensure that emergency phone
25 numbers are posted onsite; and a restriction on
26 handgun or weapon possession onsite, except if

1 possessed by a peace officer;

2 (5) perform and maintain authorization and results
3 of criminal history checks through the Illinois State
4 Police and FBI and checks of the Illinois Sex Offender
5 Registry, the National Sex Offender Registry, and
6 Child Abuse and Neglect Tracking System for employees
7 and volunteers who work directly with children;

8 (6) make hiring decisions in accordance with the
9 prohibitions against barrier crimes as specified in
10 Section 4.2 of this Act or in Section 21B-80 of the
11 School Code;

12 (7) provide parents with written disclosure that
13 the operations of the program are not regulated by
14 licensing requirements; and

15 (8) obtain and maintain records showing the first
16 and last name and date of birth of the child, name,
17 address, and telephone number of each parent,
18 emergency contact information, and written
19 authorization for medical care.

20 Programs or portions of programs requesting Child Care
21 Assistance Program (CCAP) funding and otherwise meeting the
22 requirements under item (j) shall request exemption from the
23 Department and be determined exempt prior to receiving funding
24 and must annually meet the eligibility requirements and be
25 appropriate for payment under the CCAP.

26 Programs or portions of programs under item (j) that do

1 not receive State or federal funds must comply with staff
2 qualification and training standards established by rule by
3 the Department of Human Services. The Department of Human
4 Services shall set such standards after review of Afterschool
5 for Children and Teens Now (ACT Now) evidence-based quality
6 standards developed for school-age out-of-school time
7 programs, feedback from the school-age out-of-school time
8 program professionals, and review of out-of-school time
9 professional development frameworks and quality tools.

10 Out-of-school time programs for school-age youth that
11 receive State or federal funds must comply with only those
12 staff qualifications and training standards set for the
13 program by the State or federal entity issuing the funds.

14 For purposes of items (a), (b), (c), (d), and (i) of this
15 Section, "children who shall have attained the age of 3 years"
16 shall mean children who are 3 years of age, but less than 4
17 years of age, at the time of enrollment in the program.

18 (Source: P.A. 99-143, eff. 7-27-15; 99-699, eff. 7-29-16;
19 100-201, eff. 8-18-17.)

20 Section 99. Effective date. This Act takes effect upon
21 becoming law."