



SENATE JOURNAL

STATE OF ILLINOIS

**ONE HUNDRED FOURTH GENERAL
ASSEMBLY**

26TH LEGISLATIVE DAY

WEDNESDAY, MARCH 19, 2025

12:18 O'CLOCK P.M.

SENATE
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26th Legislative Day

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The Senate met pursuant to adjournment.
Senator Bill Cunningham, Chicago, Illinois, presiding.
Prayer by Reverend Jonathan Sharp, Trinity Lutheran Church, Springfield, Illinois.
Senator Johnson led the Senate in the Pledge of Allegiance.

Senator Glowiak Hilton moved that reading and approval of the Journal of Tuesday, March 18, 2025, be postponed, pending arrival of the printed Journal.
The motion prevailed.

LEGISLATIVE MEASURE FILED

The following Committee amendment to the Senate Bill listed below has been filed with the Secretary and referred to the Committee on Assignments:

Amendment No. 2 to Senate Bill 51

REPORTS RECEIVED

The Secretary placed before the Senate the following reports:

CGFA State Employees' Group Insurance Report FY26, submitted by the Commission on Government Forecasting and Accountability.

Reporting Requirement of 50 ILCS 707/20 (Law Enforcement Camera Grant Act), submitted by the Carpentersville Police Department.

CGFA Three-Year Budget Forecast FY26-FY28, submitted by the Commission on Government Forecasting and Accountability.

The foregoing reports were ordered received and placed on file in the Secretary's Office.

PRESENTATION OF CELEBRATION OF LIFE RESOLUTIONS

SENATE RESOLUTION NO. 177

Offered by Senator Ventura and all Senators:
Mourns the passing of Gary Thomas Marschke, Supervisor of DuPage Township.

SENATE RESOLUTION NO. 178

Offered by Senator McClure and all Senators:
Mourns the death of Vice Admiral Nils Ron Thunman, U.S. Navy (Ret.).

SENATE RESOLUTION NO. 179

Offered by Senator McClure and all Senators:
Mourns the passing of Kyle Taylor James of Virden.

SENATE RESOLUTION NO. 180

Offered by Senator McClure and all Senators:
Mourns the passing of Hunter Mitchell James of Virden.

SENATE RESOLUTION NO. 181

Offered by Senator McClure and all Senators:
Mourns the passing of Jacob Conrad James of Virden.

By unanimous consent, the foregoing resolutions were referred to the Resolutions Consent Calendar.

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PRESENTATION OF RESOLUTIONS

Senator Joyce offered the following Senate Resolution, which was referred to the Committee on Assignments:

SENATE RESOLUTION NO. 175

WHEREAS, Public transportation is a lifeline for many of our most vulnerable residents, providing residents without any other form of transportation the ability to travel to doctor's appointments, grocery stores, and other vital locations; and

WHEREAS, Public transportation in downstate counties can require travel of over 25 miles from pick-up to drop-off locations, and being denied access to public transportation in these areas could be the difference between life and death; and

WHEREAS, There are many counties in Illinois that are the single provider of public transportation, making it the only reliable option for residents in a given county; and

WHEREAS, The Downstate Operating Assistance Program (DOAP) covers only 65% of eligible operating costs, while the county is required to contribute 35% of the operating costs, putting an undue burden on single county providers; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDRED FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we support the Downstate Operating Assistance Program (DOAP).

Senator Hills offered the following Senate Resolution, which was referred to the Committee on Assignments:

SENATE RESOLUTION NO. 176

WHEREAS, Facioscapulohumeral muscular dystrophy, or FSHD, is a genetic neuromuscular disease that leads to the weakening of skeletal muscles; and

WHEREAS, FSHD gets its name from the muscles affected in the face (facio), shoulder girdle (scapulo), and upper arms (humeral); and

WHEREAS, Individuals with FSHD, like those with other rare disorders, often experience challenges in obtaining a timely diagnosis, which takes an average of nine years for this condition; and

WHEREAS, An estimated 1 in 8,000 individuals, or 40,000 Americans, are living with FSHD; and

WHEREAS, FSHD symptoms can develop at any age, from infancy through adulthood, and can differ in the pattern and severity of muscle weakness; and

WHEREAS, Approximately 20 percent of individuals with FSHD will become dependent on a wheelchair or scooter; and

WHEREAS, Patients with FSHD can develop respiratory insufficiency, which can be fatal, especially in surgical or trauma settings; and

WHEREAS, The majority of individuals with FSHD experience chronic pain and fatigue, which may severely limit daily activities; and

WHEREAS, The loss of upper body mobility is a debilitating symptom of the disease that can significantly impact the ability to perform daily tasks; and

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WHEREAS, There is a critical need for continued research and development of new treatments for FSHD; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDRED FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we declare June 20, 2025 as FSHD Awareness Day in the State of Illinois.

REPORTS FROM STANDING COMMITTEES

Senator Loughran Cappel, Chair of the Committee on Education, to which was referred **Senate Bills Numbered 2149 and 2438**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Loughran Cappel, Chair of the Committee on Education, to which was referred **Senate Bills Numbered 71, 1329, 1519, 1672, 1920, 1947, 1983 and 2427**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.

Senator Loughran Cappel, Chair of the Committee on Education, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 1231

Senate Amendment No. 3 to Senate Bill 1740

Under the rules, the foregoing floor amendments are eligible for consideration on second reading.

Senator Cervantes, Chair of the Committee on Criminal Law, to which was referred **Senate Bills Numbered 248, 1587, 1784 and 2418**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Cervantes, Chair of the Committee on Criminal Law, to which was referred **Senate Bill No. 1882**, reported the same back with the recommendation that the bill do pass.

The bill was directed to the Committee on Appropriations- Health and Human Services.

Senator Cervantes, Chair of the Committee on Criminal Law, to which was referred **Senate Bills Numbered 2156, 2201, 2323 and 2426**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.

Senator Cervantes, Chair of the Committee on Criminal Law, to which was referred **Senate Bills Numbered 1395 and 2185**, reported the same back with the recommendation that the bills, as amended, do pass.

The bills were directed to the Committee on Appropriations- Public Safety and Infrastructure.

Senator Cervantes, Chair of the Committee on Criminal Law, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 108

Under the rules, the foregoing floor amendment is eligible for consideration on second reading.

Senator Simmons, Chair of the Committee on Public Health, to which was referred **Senate Bills Numbered 189 and 2409**, reported the same back with the recommendation that the bills do pass.

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Under the rules, the bills were ordered to a second reading.

Senator Simmons, Chair of the Committee on Public Health, to which was referred **Senate Bills Numbered 73, 1950 and 2215**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.

Senator Villa, Chair of the Committee on Health and Human Services, to which was referred **Senate Bills Numbered 2194, 2421, 2437 and 2500**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Villa, Chair of the Committee on Health and Human Services, to which was referred **Senate Bills Numbered 1274, 1298, 1299 and 1602**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.

Senator Villivalam, Chair of the Committee on Transportation, to which was referred **Senate Bills Numbered 191, 1883 and 2111**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Villivalam, Chair of the Committee on Transportation, to which was referred **Senate Bills Numbered 1559 and 2075**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.

Senator Villivalam, Chair of the Committee on Transportation, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 2019

Senate Amendment No. 1 to Senate Bill 2040

Under the rules, the foregoing floor amendments are eligible for consideration on second reading.

Senator Peters, Chair of the Committee on Labor, to which was referred **Senate Bills Numbered 164, 220, 1701 and 2406**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Peters, Chair of the Committee on Labor, to which was referred **Senate Bills Numbered 141 and 2339**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.

Senator Morrison, Chair of the Committee on Insurance, to which was referred **Senate Bills Numbered 40, 2415 and 2505**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Morrison, Chair of the Committee on Insurance, to which was referred **Senate Bills Numbered 126, 1238, 1346 and 1418**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.

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Senator Morrison, Chair of the Committee on Insurance, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 175

Under the rules, the foregoing floor amendment is eligible for consideration on second reading.

Senator Edly-Allen, Chair of the Committee on Higher Education, to which was referred **Senate Bills Numbered 1376, 1958 and 2448**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Edly-Allen, Chair of the Committee on Higher Education, to which was referred **Senate Bills Numbered 1322 and 1928**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.

Senator Edly-Allen, Chair of the Committee on Higher Education, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 2039

Under the rules, the foregoing floor amendment is eligible for consideration on second reading.

Senator Martwick, Chair of the Committee on Pensions, to which was referred **Senate Bills Numbered 1455, 1456, 1692, 1752, 1937 and 2016**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Fine, Chair of the Committee on Behavioral and Mental Health, to which was referred **Senate Bill No. 2420**, reported the same back with the recommendation that the bill do pass.

Under the rules, the bill was ordered to a second reading.

Senator Walker, Chair of the Committee on Financial Institutions, to which was referred **Senate Bills Numbered 2318 and 2457**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.

Senator Porfirio, Chair of the Committee on Veterans Affairs, to which was referred **Senate Bill No. 1368**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

Under the rules, the bill was ordered to a second reading.

Senator Porfirio, Chair of the Committee on Veterans Affairs, to which was referred **Senate Resolution No. 11**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Resolution No. 11** was placed on the Secretary's Desk.

APPOINTMENT MESSAGES

Appointment Message No. 1040101

[March 19, 2025]

To the Honorable Members of the Senate, One Hundred Fourth General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois Health Benefits Exchange Advisory Committee

Start Date: December 23, 2024

End Date: January 19, 2026

Name: Stephanie Ferst Altman

County of Residence: Lake

Annual Compensation: Unsalariated

Per diem: Not Applicable

Nominee's Senator: Senator Julie A. Morrison

Most Recent Holder of Office: Julie Sampson

Superseded Appointment Message: Not Applicable

Appointment Message No. 1040102

To the Honorable Members of the Senate, One Hundred Fourth General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois Health Benefits Exchange Advisory Committee

Start Date: December 23, 2024

End Date: February 13, 2026

Name: Anusha Thotakura

County of Residence: Cook

Annual Compensation: Unsalariated

Per diem: Not Applicable

Nominee's Senator: Senator Lakesia Collins

Most Recent Holder of Office: Stephani Becker

[March 19, 2025]

Superseded Appointment Message: Not Applicable

Under the rules, the foregoing Appointment Messages were referred to the Committee on Executive Appointments.

At the hour of 12:39 o'clock p.m., the Chair announced that the Senate stands at ease.

AT EASE

At the hour of 12:46 o'clock p.m., the Senate resumed consideration of business.
Senator Cunningham, presiding.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Lightford, Chair of the Committee on Assignments, during its March 19, 2025 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Appropriations: **Committee Amendment No. 1 to Senate Bill 1496; Committee Amendment No. 1 to Senate Bill 1610; Committee Amendment No. 1 to Senate Bill 1975.**

Appropriations- Health and Human Services: **Committee Amendment No. 1 to Senate Bill 228.**

Appropriations- Public Safety and Infrastructure: **Committee Amendment No. 1 to Senate Bill 2417.**

Child Welfare: **Committee Amendment No. 1 to Senate Bill 2446.**

Environment and Conservation: **Committee Amendment No. 2 to Senate Bill 1531; Committee Amendment No. 2 to Senate Bill 1872.**

Executive: **Committee Amendment No. 1 to Senate Bill 2178.**

Judiciary: **Floor Amendment No. 2 to Senate Bill 1667.**

State Government: **Floor Amendment No. 1 to Senate Bill 246; Floor Amendment No. 1 to Senate Bill 1441.**

READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator D. Turner, **Senate Bill No. 83** having been printed, was taken up, read by title a second time.

Senator D. Turner offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 83

AMENDMENT NO. 1. Amend Senate Bill 83 by replacing everything after the enacting clause with the following:

"Section 5. The Probate Act of 1975 is amended by changing Section 25-1 as follows:
(755 ILCS 5/25-1) (from Ch. 110 1/2, par. 25-1)
Sec. 25-1. Payment or delivery of small estate of decedent upon affidavit.

[March 19, 2025]

(a) When any person, corporation, or financial institution (1) indebted to or holding personal estate of a decedent, (2) controlling the right of access to decedent's safe deposit box or (3) acting as registrar or transfer agent of any evidence of interest, indebtedness, property or right is furnished with a small estate affidavit in substantially the form hereinafter set forth, that person, corporation, or financial institution shall pay the indebtedness, grant access to the safe deposit box, deliver the personal estate or transfer or issue the evidence of interest, indebtedness, property or right to persons and in the manner specified in the affidavit or to an agent appointed as hereinafter set forth.

(a-5) The small estate affidavit set forth in subsection (b) may be used to transfer personal property in a decedent's estate if:

(1) no letters of office are outstanding on the decedent's estate and no petition for letters is contemplated or pending in this State or in any other jurisdiction; and

(2) the decedent's personal estate passing to any party by intestacy or under a will is limited to:

(A) excluding motor vehicles registered with the Secretary of State, tangible and intangible personal property not exceeding \$150,000; and

(B) motor vehicles registered with the Secretary of State.

For purposes of this Section, if the small estate affidavit as set forth in subsection (b) is being used solely for a title transaction with the Secretary of State for the transfer of the decedent's motor vehicles, it may be used to transfer those motor vehicles in accordance with subsection (b) of Section 3-114 of Illinois Vehicle Code without consideration of the value of the decedent's personal estate.

(b) Small Estate Affidavit

I, (name of affiant) , on oath state:

1. (a) My post office address is: ;

(b) My residence address is: ; and

(c) I understand that, if I am an out-of-state resident, I submit myself to the jurisdiction of Illinois courts for all matters related to the preparation and use of this affidavit. My agent for service of process in Illinois is:

NAME.....
ADDRESS.....
CITY.....
TELEPHONE (IF ANY).....

I understand that if no person is named above as my agent for service or, if for any reason, service on the named person cannot be effectuated, the clerk of the circuit court of(County) (Judicial Circuit) Illinois is recognized by Illinois law as my agent for service of process.

2. The decedent's name is ;

3. The date of the decedent's death was , and I have attached a copy of the death certificate hereto.

4. The decedent's place of residence immediately before his death was ;

5. No letters of office are now outstanding on the decedent's estate and no petition for letters is contemplated or pending in Illinois or in any other jurisdiction, to my knowledge;

6. (a) Excluding motor vehicles registered with the Secretary of State, the decedent's entire personal estate ~~The gross value of the decedent's entire personal estate, including the value of all property passing to any party either by intestacy or under a will,~~ does not exceed \$150,000 ~~\$100,000~~. (Here, list each asset, e.g., cash, stock, and its fair market value.); and

(b) Any motor vehicles registered with the Secretary of State in the decedent's entire personal estate passing to any party either by intestacy or under a will. (Here, list a description of each motor vehicle by make, body type, year, and vehicle identification number.);

7. (a) All of the decedent's funeral expenses and other debts have been paid, or

(b) All of the decedent's known unpaid debts are listed and classified as follows (include the name, post office address, and amount):

Class 1: funeral and burial expenses, which include reasonable amounts paid for a burial space, crypt, or niche; a marker on the burial space; and care of the burial space, crypt, or niche; expenses of administration; and statutory custodial claims as follows:

.....

Class 2: the surviving spouse's award or child's award, if applicable, as follows:

.....

Class 3: debts due the United States, as follows:

.....
Class 4: money due employees of the decedent of not more than \$800 for each claimant for services rendered within 4 months prior to the decedent's death and expenses attending the last illness, as follows:
.....

Class 5: money and property received or held in trust by the decedent which cannot be identified or traced, as follows:
.....

Class 6: debts due the State of Illinois and any county, township, city, town, village, or school district located within Illinois, as follows:
.....

Class 7: all other claims, as follows:
.....

(Strike either 7(a) or 7(b)).

7.5. I understand that all valid claims against the decedent's estate described in paragraph 7 must be paid by me from the decedent's estate before any distribution is made to any heir or legatee. I further understand that the decedent's estate should pay all claims in the order set forth above, and if the decedent's estate is insufficient to pay the claims in any one class, the claims in that class shall be paid pro rata.

8. There is no known unpaid claimant or contested claim against the decedent, except as stated in paragraph 7.

9. (a) The names and places of residence of any surviving spouse, minor children and adult dependent* children of the decedent are as follows:

Name and Relationship	Place of Residence	Age of minor child
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*(Note: An adult dependent child is one who is unable to maintain himself and is likely to become a public charge.)

(b) The award allowable to the surviving spouse of a decedent who was an Illinois resident is \$..... (\$20,000, plus \$10,000 multiplied by the number of minor children and adult dependent children who resided with the surviving spouse at the time of the decedent's death. If any such child did not reside with the surviving spouse at the time of the decedent's death, so indicate).

(c) If there is no surviving spouse, the award allowable to the minor children and adult dependent children of a decedent who was an Illinois resident is \$..... (\$20,000, plus \$10,000 multiplied by the number of minor children and adult dependent children), to be divided among them in equal shares.

10. (a) The decedent left no will. The names, places of residence and relationships of the decedent's heirs, and the portion of the estate to which each heir is entitled under the law where decedent died intestate are as follows:

Name, relationship and place of residence	Age of minor OR	Portion of Estate
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(b) The decedent left a will, which has been filed with the clerk of an appropriate court. A certified copy of the will on file is attached. To the best of my knowledge and belief the will on file is the decedent's last will and was signed by the decedent and the attesting witnesses as required by law and would be admissible to probate. The names and places of residence of the legatees and the portion of the estate, if any, to which each legatee is entitled are as follows:

Name, relationship and place of residence	Age of minor	Portion of Estate
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(Strike either 10(a) or 10(b)).

(c) Affiant is unaware of any dispute or potential conflict as to the heirship or will of the decedent.

10.3. My relationship to the decedent or the decedent's estate is as follows:

10.5. (The following paragraph should appear in bold type and in not less than 14-point font):

I understand that the decedent's estate must be distributed first to satisfy claims against the decedent's estate as set forth in paragraph 7.5 of this affidavit before any distribution is made to any heir or legatee. By signing this affidavit, I agree to indemnify and hold harmless all creditors of the decedent's estate, the decedent's heirs and legatees, and other persons, corporations, or financial

institutions relying upon this affidavit who incur any loss because of reliance on this affidavit, up to the amount lost because of any act or omission by me. I further understand that any person, corporation, or financial institution recovering under this indemnification provision shall be entitled to reasonable attorney's fees and the expenses of recovery.

11. After payment by me from the decedent's estate of all debts and expenses listed in paragraph 7, any remaining property described in paragraph 6 of this affidavit should be distributed as follows:

Name	Specific sum or property to be distributed
------	--

The foregoing statement is made under the penalties of perjury*.

.....
Signature of Affiant

Signed and sworn before me on (insert date).

.....
Notary Public

*(Note: A fraudulent statement made under the penalties of perjury is perjury, as defined in Section 32-2 of the Criminal Code of 2012.)

(c) Appointment of Agent. If safe deposit access is involved or if sale of any personal property is desirable to facilitate distribution pursuant to the small estate affidavit, the affiant under the small estate affidavit may in writing appoint one or more persons as the affiant's agent for that purpose. The agent shall have power, without court approval, to gain access to, sell, and distribute the property in the manner specified in paragraphs 7.5 and 11 of the affidavit; and the payment, delivery, transfer, access or issuance shall be made or granted to or on the order of the agent. The affiant may appoint himself or herself as the designated representative to exercise the powers and perform the duties of an agent described in this subsection (c).

(d) Reliance and Release. Any person, corporation, or financial institution who acts in good faith reliance on a copy of a document purporting to be a small estate affidavit that is substantially in compliance with subsection (b) of this Section shall be fully protected and released upon payment, delivery, transfer, access or issuance pursuant to such a document to the same extent as if the payment, delivery, transfer, access or issuance had been made or granted to the representative of the estate. Such person, corporation, or financial institution is not required to see to the application or disposition of the property; but each person to whom a payment, delivery, transfer, access or issuance is made or given is answerable therefor to any person having a prior right and is accountable to any representative of the estate.

(e) Distributions pursuant to an affidavit substantially in the form set forth in subsection (b) of this Section may be made to the affiant, if so specified in paragraph 11, notwithstanding the disclosure of known unpaid debts. The affiant, acting on behalf of the decedent's estate, is obligated to pay all valid claims against the decedent's estate before any distribution is made to any heir or legatee. The affiant signing the small estate affidavit prepared pursuant to subsection (b) of this Section shall indemnify and hold harmless all creditors, heirs, and legatees of the decedent and other persons, corporations, or financial institutions relying upon the affidavit who incur loss because of such reliance. That indemnification shall only be up to the amount lost because of the act or omission of the affiant. Any person, corporation, or financial institution recovering under this subsection (e) shall be entitled to reasonable attorney's fees and the expenses of recovery.

(f) The affiant of a small estate affidavit who is a non-resident of Illinois submits himself or herself to the jurisdiction of Illinois courts for all matters related to the preparation or use of the affidavit. The affidavit shall provide the name, address, and phone number of a person whom the affiant names as his agent for service of process. If no such person is named or if, for any reason, service on the named person cannot be effectuated, the clerk of the circuit court of the county or judicial circuit of which the decedent was a resident at the time of his death shall be the agent for service of process.

(g) Any action properly taken under this Section, as amended by Public Act 93-877, on or after August 6, 2004 (the effective date of Public Act 93-877) is valid regardless of the date of death of the decedent.

(h) The changes made by this amendatory Act of the 96th General Assembly apply to a decedent whose date of death is on or after the effective date of this amendatory Act of the 96th General Assembly.

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(i) The changes made by this amendatory Act of the 98th General Assembly apply to a decedent whose date of death is on or after the effective date of this amendatory Act of the 98th General Assembly.

(j) The changes made by this amendatory Act of the 104th General Assembly apply to a decedent whose date of death is on or after the effective date of this amendatory Act of the 104th General Assembly.
(Source: P.A. 97-1150, eff. 1-25-13; 98-836, eff. 1-1-15.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Fine, **Senate Bill No. 175** having been printed, was taken up, read by title a second time.

Senator Fine offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 175

AMENDMENT NO. 1. Amend Senate Bill 175 on page 8, line 7, by replacing "2026" with "2027"; and

on page 8, line 8, by deleting "the cost of".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Halpin, **Senate Bill No. 188** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Joyce, **Senate Bill No. 1230** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on State Government, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 1230

AMENDMENT NO. 1. Amend Senate Bill 1230 on page 1, on line 7, by replacing "upcoming and proposed" with "planned and ongoing"; and

on page 1, on line 10, by replacing "upcoming and proposed" with "planned and ongoing".

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator McClure, **Senate Bill No. 1241** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator D. Turner, **Senate Bill No. 1295** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on State Government, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 1295

AMENDMENT NO. 1. Amend Senate Bill 1295, on page 2, line 5, by replacing "emergency medical dispatch, and" with "~~emergency medical dispatch, and~~"; and

on page 2, line 11, by replacing "emergency medical dispatch, and" with "~~emergency medical dispatch, and~~"; and

on page 4, immediately below line 15, by inserting the following:

"Section 10. The Emergency Medical Services (EMS) Systems Act is amended by changing Section 3.70 as follows:

(210 ILCS 50/3.70)

Sec. 3.70. Emergency Medical Dispatcher.

(a) "Emergency Medical Dispatcher" means a person who has successfully completed a training course in emergency medical dispatching and telecommunicator cardiopulmonary resuscitation (T-CPR) in accordance with rules adopted by the Department pursuant to this Act, who accepts calls from the public for emergency medical services and dispatches designated emergency medical services personnel and vehicles. The Emergency Medical Dispatcher must use the Department-approved emergency medical dispatch priority reference system (EMDPRS) protocol selected for use by its agency and approved by its EMS medical director. This protocol must be used by an emergency medical dispatcher in an emergency medical dispatch agency to dispatch aid to medical emergencies which includes systematized caller interrogation questions; systematized prearrival support instructions; and systematized coding protocols that match the dispatcher's evaluation of the injury or illness severity with the vehicle response mode and vehicle response configuration and includes an appropriate training curriculum and testing process consistent with the specific EMDPRS protocol used by the emergency medical dispatch agency. Prearrival support instructions shall be provided in a non-discriminatory manner and shall be provided in accordance with the EMDPRS established by the EMS medical director of the EMS system in which the EMD operates. If the dispatcher operates under the authority of an Emergency Telephone System Board established under the Emergency Telephone System Act, the protocols shall be established by such Board in consultation with the EMS Medical Director.

(b) The Department shall have the authority and responsibility to:

(1) Require licensure and relicensure of a person who meets the training and other requirements as an emergency medical dispatcher pursuant to this Act.

(2) Require licensure and relicensure of a person, organization, or government agency that operates an emergency medical dispatch agency that meets the minimum standards prescribed by the Department for an emergency medical dispatch agency pursuant to this Act.

(3) Prescribe minimum education and continuing education requirements for the Emergency Medical Dispatcher, which meet standards specified by rules adopted pursuant to this Act.

(4) Require each EMS Medical Director to report to the Department whenever an action has taken place that may require the revocation or suspension of a license issued by the Department.

(5) Require each EMD to provide prearrival instructions and telecommunicator cardiopulmonary resuscitation (T-CPR) in compliance with protocols selected and approved by the system's EMS medical director and approved by the Department.

(6) Require the Emergency Medical Dispatcher to keep the Department currently informed as to the entity or agency that employs or supervises his activities as an Emergency Medical Dispatcher.

(7) Establish an annual relicensure requirement that requires medical dispatch-specific continuing education as prescribed by the Department through rules adopted pursuant to this Act.

(8) Approve all EMDPRS protocols used by emergency medical dispatch agencies to assure compliance with national standards.

(9) Require that Department-approved emergency medical dispatch training programs are conducted in accordance with national standards.

(10) Require that the emergency medical dispatch agency be operated in accordance with national standards, including, but not limited to, (i) the use on every request for medical assistance of an emergency medical dispatch priority reference system (EMDPRS) in accordance with Department-approved policies and procedures and (ii) under the approval and supervision of the EMS medical director, the establishment of a continuous quality improvement program.

(11) Require that a person may not represent himself or herself, nor may an agency or business represent an agent or employee of that agency or business, as an emergency medical dispatcher unless licensed by the Department as an emergency medical dispatcher.

(12) Require that a person, organization, or government agency not represent itself as an emergency medical dispatch agency unless the person, organization, or government agency is certified by the Department as an emergency medical dispatch agency.

(13) Require that a person, organization, or government agency may not offer or conduct a training course that is represented as a course for an emergency medical dispatcher unless the person, organization, or agency is approved by the Department to offer or conduct that course.

(14) Require that Department-approved emergency medical dispatcher training programs are conducted by instructors licensed by the Department who:

- (i) are, at a minimum, licensed as emergency medical dispatchers;
- (ii) have completed a Department-approved course on methods of instruction;
- (iii) have previous experience in a medical dispatch agency; and
- (iv) have demonstrated experience as an EMS instructor.

(15) Establish criteria for modifying or waiving Emergency Medical Dispatcher requirements based on (i) the scope and frequency of dispatch activities and the dispatcher's access to training or (ii) whether the previously-attended dispatcher training program merits automatic relicensure for the dispatcher.

(16) Charge each Emergency Medical Dispatcher applicant a fee for licensure and license renewal.

(c) The Department shall have the authority to suspend, revoke, or refuse to issue or renew the license of an EMD when, after notice and the opportunity for an impartial hearing, the Department demonstrates that the licensee has violated this Act, violated the rules adopted by the Department, or failed to comply with the applicable standard of care.

(Source: P.A. 98-973, eff. 8-15-14.)".

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator D. Turner, **Senate Bill No. 1343** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on State Government, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 1343

AMENDMENT NO. 1. Amend Senate Bill 1343 by replacing everything after the enacting clause with the following:

"Section 5. The Department of Central Management Services Law of the Civil Administrative Code of Illinois is amended by changing Section 405-315 as follows:

(20 ILCS 405/405-315) (was 20 ILCS 405/67.24)

Sec. 405-315. Management of State buildings and other real properties; security force; fees.

(a) To manage, operate, maintain, and preserve from waste the State buildings, facilities, structures, grounds, or other real properties, including, without limitation, the real properties ~~property~~ transferred to the Department under Section 405-415, including, without limitation, the State buildings listed below, and to grant easements and accept easements with respect to those properties, on such terms and conditions that in the judgment of the Director are in the best interests of the State. The Department may rent portions of these and other State buildings when in the judgment of the Director those leases or subleases will be in the best interests of the State. The leases or subleases shall not exceed 5 years unless a greater term is specifically authorized.

- a. Peoria Regional Office Building
5415 North University
Peoria, Illinois 61614
- b. Springfield Regional Office Building
4500 South 6th Street
Springfield, Illinois 62703
- c. Champaign Regional Office Building
2125 South 1st Street

- Champaign, Illinois 61820
- d. Illinois State Armory Building
124 East Adams
Springfield, Illinois 62706
- e. Marion Regional Office Building
2209 West Main Street
Marion, Illinois 62959
- f. Kenneth Hall Regional State Office Building
#10 Collinsville Avenue
East St. Louis, Illinois 62201
- g. Rockford Regional Office Building
4402 North Main Street
P.O. Box 915
Rockford, Illinois 61105
- h. State of Illinois Building
160 North LaSalle
Chicago, Illinois 60601
- i. Office and Laboratory Building
2121 West Taylor Street
Chicago, Illinois 60602
- j. Central Computer Facility
201 West Adams
Springfield, Illinois 62706
- k. Elgin Office Building
595 South State Street
Elgin, Illinois 60120
- l. ~~(Blank). James R. Thompson Center
Bounded by Lake, Clark, Randolph and
LaSalle Streets
Chicago, Illinois~~
- m. The following buildings located within the Chicago Medical Center District:
1. Lawndale Day Care Center
2929 West 19th Street
 2. Edwards Center
2020 Roosevelt Road
 3. Illinois Center for Rehabilitation and Education
1950 West Roosevelt Road and 1151 South Wood Street
 4. Department of Children and Family Services District Office
1026 South Damen
 5. The William Healy School
1731 West Taylor
 6. Administrative Office Building
1100 South Paulina Street
 7. Metro Children and Adolescents Center
1601 West Taylor Street
- n. E.J. "Zeke" Giorgi Center
200 Wyman Street
Rockford, Illinois
- o. Suburban North Facility
9511 Harrison
Des Plaines, Illinois
- p. The following buildings located within the Revenue

Center in Springfield:

1. State Property Control Warehouse
11th & Ash
2. Illinois State Museum Research & Collections
Center
1011 East Ash Street
- q. Effingham Regional Office Building
401 Industrial Drive
Effingham, Illinois
- r. The Communications Center
120 West Jefferson
Springfield, Illinois
- s. Portions or all of the basement and
ground floor of the
State of Illinois Building
160 North LaSalle
Chicago, Illinois 60601
- t. 115 South LaSalle Street, Chicago, Illinois

may be leased or subleased to persons, firms, partnerships, associations, or individuals for terms not to exceed 15 years when in the judgment of the Director those leases or subleases will be in the best interests of the State.

~~Portions or all of the commercial space, which includes the sub-basement, storage mezzanine, concourse, and ground and second floors of the~~

~~James R. Thompson Center~~

~~Bounded by Lake, Clark, Randolph and LaSalle Streets~~

~~Chicago, Illinois~~

~~may be leased or subleased to persons, firms, partnerships, associations, or individuals for terms not to exceed 15 years subject to renewals when in the judgment of the Director those leases or subleases will be in the best interests of the State.~~

The Director is authorized to rent portions of the above described facilities to persons, firms, partnerships, associations, or individuals for terms not to exceed 30 days when those leases or subleases will not interfere with State usage of the facility. This authority is meant to supplement and shall not in any way be interpreted to restrict the Director's ability to make portions of the State of Illinois Building ~~and the James R. Thompson Center~~ available for long-term commercial leases or subleases.

Notwithstanding the provisions above, the Department of Children and Family Services and the Department of Human Services (as successor to the Department of Rehabilitation Services and the Department of Mental Health and Developmental Disabilities) shall determine the allocation of space for direct recipient care in their respective facilities. The Department of Central Management Services shall consult with the affected agency in the allocation and lease of surplus space in these facilities. Potential lease arrangements shall not endanger the direct recipient care responsibilities in these facilities.

(b) To appoint, subject to the Personnel Code, persons to be members of a police and security force. Members of the security force shall be peace officers when performing duties pursuant to this Section and as such shall have all of the powers possessed by policemen in cities and sheriffs, including the power to make arrests on view or issue citations for violations of State statutes or city or county ordinances, except that in counties of more than 1,000,000 population, any powers created by this subsection shall be exercised only (i) when necessary to protect the property, personnel, or interests of the Department or any State agency for whom the Department manages, operates, or maintains property or (ii) when specifically requested by appropriate State or local law enforcement officials, and except that within counties of 1,000,000 or less population, these powers shall be exercised only when necessary to protect the property, personnel, or interests of the State of Illinois and only while on property managed, operated, or maintained by the Department.

Nothing in this subsection shall be construed so as to make it conflict with any provisions of, or rules promulgated under, the Personnel Code.

(c) To charge reasonable fees for the lease, rental, use, or occupancy of State facilities managed, operated, or maintained by the Department. All moneys collected under this Section shall be deposited in a revolving fund in the State treasury known as the Facilities Management Revolving Fund.

(d) ~~(Blank). Provisions of this Section relating to the James R. Thompson Center are subject to the provisions of Section 7.4 of the State Property Control Act.~~
(Source: P.A. 93-19, eff. 6-20-03; 93-839, eff. 7-30-04; 94-91, eff. 7-1-05.)".

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Halpin, **Senate Bill No. 1422** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Villivalam, **Senate Bill No. 1467** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Transportation, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 1467

AMENDMENT NO. 1. Amend Senate Bill 1467 on page 3, by replacing line 6 with "Section 6-110.3, Section 3.5 of the Uniform Interstate Depositions and Discovery Act, or the Lawful Health Care Activity Act; and".

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Villivalam, **Senate Bill No. 1616** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Morrison, **Senate Bill No. 1764** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Fine, **Senate Bill No. 1774** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Castro, **Senate Bill No. 1967** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Porfirio, **Senate Bill No. 1999** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Villanueva, **Senate Bill No. 2039** having been printed, was taken up, read by title a second time.

Senator Villanueva offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 2039

AMENDMENT NO. 1. Amend Senate Bill 2039 by replacing everything after the enacting clause with the following:

"Section 5. The Board of Higher Education Act is amended by adding Section 9.45 as follows:

(110 ILCS 205/9.45 new)

Sec. 9.45. Statewide Data Dashboard.

(a) By March 15, 2027 and by March 15 of each year thereafter, the Board of Higher Education, the Illinois Community College Board, and the Illinois Student Assistance Commission shall jointly prepare and release a Statewide Data Dashboard to include individualized data on each public institution of higher education and each private institution of higher education on a publicly available website. Current dashboard platforms and technology shall be used, unless a more effective alternative is identified and practical.

(b) The Board of Higher Education, the Illinois Community College Board, and the Illinois Student Assistance Commission shall collaborate jointly and determine the indicators and presentation of the Statewide Data Dashboard, which must include, at a minimum, the most current data collected and maintained by the Board of Higher Education, the Illinois Community College Board, and the Illinois Student Assistance Commission related to the following:

(1) student demographics, to the extent available, including, but not limited to, race, ethnicity, gender, rural students, English learners, and adult students;

(2) institution characteristics, including, but not limited to, total students and total faculty and staff;

(3) affordability characteristics, including, but not limited to, the cost of attendance, including all categories of tuition and fees, on-campus and off-campus housing cost averages, if applicable for the institution, and loan repayment rates;

(4) student success factors, including, but not limited to, enrollments, retention, completion, and, to the extent possible, the student demographic breakdown of each category;

(5) a comparison, if feasible, of data covering a 5-year period;

(6) institutional profile and mission; and

(7) any additional data as reasonably determined and agreed upon by the Board of Higher Education, the Illinois Community College Board, and the Illinois Student Assistance Commission.

(c) Only aggregate data may be published on the Statewide Data Dashboard.

(d) Data under the purview of the Board of Higher Education, the Illinois Community College Board, and the Illinois Student Assistance Commission shall remain under the authority of their respective agencies. To facilitate the development and maintenance of the Statewide Data Dashboard, the Board of Higher Education, the Illinois Community College Board, and the Illinois Student Assistance Commission may enter into memoranda of understanding or interagency agreements ensuring compliance with applicable State and federal data privacy laws.

(e) The Board of Higher Education, the Illinois Community College Board, and the Illinois Student Assistance Commission may adopt joint rules as necessary to administer this Section."

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Villanueva, **Senate Bill No. 2040** having been printed, was taken up, read by title a second time.

Senator Villanueva offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 2040

AMENDMENT NO. 1 . Amend Senate Bill 2040 on page 5, line 18, by replacing "Upon" with "Beginning July 1, 2026, upon"; and

on page 6, by replacing line 3 with "shall be suspended within 30 calendar days"; and

on page 7, by replacing lines 11 through 14 with "contest a suspension or impending suspension made pursuant to this Section as authorized under Section 2-118. The Commission may reimburse the".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Halpin, **Senate Bill No. 2164** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Porfirio, **Senate Bill No. 2175** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Villivalam, **Senate Bill No. 2247** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Collins, **Senate Bill No. 1504** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Judiciary, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 1504

AMENDMENT NO. 1 . Amend Senate Bill 1504 by replacing everything after the enacting clause with the following:

"Section 5. The Children and Family Services Act is amended by changing Sections 5 and 35.10 as follows:

(20 ILCS 505/5)

(Text of Section before amendment by P.A. 103-1061)

Sec. 5. Direct child welfare services; Department of Children and Family Services. To provide direct child welfare services when not available through other public or private child care or program facilities.

(a) For purposes of this Section:

(1) "Children" means persons found within the State who are under the age of 18 years. The term also includes persons under age 21 who:

(A) were committed to the Department pursuant to the Juvenile Court Act or the Juvenile Court Act of 1987 and who continue under the jurisdiction of the court; or

(B) were accepted for care, service and training by the Department prior to the age of 18 and whose best interest in the discretion of the Department would be served by continuing that care, service and training because of severe emotional disturbances, physical disability, social adjustment or any combination thereof, or because of the need to complete an educational or vocational training program.

(2) "Homeless youth" means persons found within the State who are under the age of 19, are not in a safe and stable living situation and cannot be reunited with their families.

(3) "Child welfare services" means public social services which are directed toward the accomplishment of the following purposes:

(A) protecting and promoting the health, safety and welfare of children, including homeless, dependent, or neglected children;

(B) remedying, or assisting in the solution of problems which may result in, the neglect, abuse, exploitation, or delinquency of children;

(C) preventing the unnecessary separation of children from their families by identifying family problems, assisting families in resolving their problems, and preventing the breakup of the family where the prevention of child removal is desirable and possible when the child can be cared for at home without endangering the child's health and safety;

(D) restoring to their families children who have been removed, by the provision of services to the child and the families when the child can be cared for at home without endangering the child's health and safety;

(E) placing children in suitable permanent family arrangements, through guardianship or adoption, in cases where restoration to the birth family is not safe, possible, or appropriate;

(F) at the time of placement, conducting concurrent planning, as described in subsection (1-1) of this Section, so that permanency may occur at the earliest opportunity. Consideration should be given so that if reunification fails or is delayed, the placement made is the best available placement to provide permanency for the child;

(G) (blank);

(H) (blank); and

(I) placing and maintaining children in facilities that provide separate living quarters for children under the age of 18 and for children 18 years of age and older, unless a child 18 years

of age is in the last year of high school education or vocational training, in an approved individual or group treatment program, in a licensed shelter facility, or secure child care facility. The Department is not required to place or maintain children:

- (i) who are in a foster home, or
- (ii) who are persons with a developmental disability, as defined in the Mental Health and Developmental Disabilities Code, or
- (iii) who are female children who are pregnant, pregnant and parenting, or parenting, or
- (iv) who are siblings, in facilities that provide separate living quarters for children 18 years of age and older and for children under 18 years of age.

(b) (Blank).

(b-5) The Department shall adopt rules to establish a process for all licensed residential providers in Illinois to submit data as required by the Department if they contract or receive reimbursement for children's mental health, substance use, and developmental disability services from the Department of Human Services, the Department of Juvenile Justice, or the Department of Healthcare and Family Services. The requested data must include, but is not limited to, capacity, staffing, and occupancy data for the purpose of establishing State need and placement availability.

All information collected, shared, or stored pursuant to this subsection shall be handled in accordance with all State and federal privacy laws and accompanying regulations and rules, including without limitation the federal Health Insurance Portability and Accountability Act of 1996 (Public Law 104-191) and the Mental Health and Developmental Disabilities Confidentiality Act.

(c) The Department shall establish and maintain tax-supported child welfare services and extend and seek to improve voluntary services throughout the State, to the end that services and care shall be available on an equal basis throughout the State to children requiring such services.

(d) The Director may authorize advance disbursements for any new program initiative to any agency contracting with the Department. As a prerequisite for an advance disbursement, the contractor must post a surety bond in the amount of the advance disbursement and have a purchase of service contract approved by the Department. The Department may pay up to 2 months operational expenses in advance. The amount of the advance disbursement shall be prorated over the life of the contract or the remaining months of the fiscal year, whichever is less, and the installment amount shall then be deducted from future bills. Advance disbursement authorizations for new initiatives shall not be made to any agency after that agency has operated during 2 consecutive fiscal years. The requirements of this Section concerning advance disbursements shall not apply with respect to the following: payments to local public agencies for child day care services as authorized by Section 5a of this Act; and youth service programs receiving grant funds under Section 17a-4.

(e) (Blank).

(f) (Blank).

(g) The Department shall establish rules and regulations concerning its operation of programs designed to meet the goals of child safety and protection, family preservation, family reunification, and adoption, including, but not limited to:

- (1) adoption;
- (2) foster care;
- (3) family counseling;
- (4) protective services;
- (5) (blank);
- (6) homemaker service;
- (7) return of runaway children;
- (8) (blank);
- (9) placement under Section 5-7 of the Juvenile Court Act or Section 2-27, 3-28, 4-25, or 5-740 of the Juvenile Court Act of 1987 in accordance with the federal Adoption Assistance and Child Welfare Act of 1980; and
- (10) interstate services.

Rules and regulations established by the Department shall include provisions for training Department staff and the staff of Department grantees, through contracts with other agencies or resources, in screening techniques to identify substance use disorders, as defined in the Substance Use Disorder Act, approved by the Department of Human Services, as a successor to the Department of Alcoholism and Substance Abuse,

for the purpose of identifying children and adults who should be referred for an assessment at an organization appropriately licensed by the Department of Human Services for substance use disorder treatment.

(h) If the Department finds that there is no appropriate program or facility within or available to the Department for a youth in care and that no licensed private facility has an adequate and appropriate program or none agrees to accept the youth in care, the Department shall create an appropriate individualized, program-oriented plan for such youth in care. The plan may be developed within the Department or through purchase of services by the Department to the extent that it is within its statutory authority to do.

(i) Service programs shall be available throughout the State and shall include but not be limited to the following services:

- (1) case management;
- (2) homemakers;
- (3) counseling;
- (4) parent education;
- (5) day care; and
- (6) emergency assistance and advocacy.

In addition, the following services may be made available to assess and meet the needs of children and families:

- (1) comprehensive family-based services;
- (2) assessments;
- (3) respite care; and
- (4) in-home health services.

The Department shall provide transportation for any of the services it makes available to children or families or for which it refers children or families.

(j) The Department may provide categories of financial assistance and education assistance grants, and shall establish rules and regulations concerning the assistance and grants, to persons who adopt children with physical or mental disabilities, children who are older, or other hard-to-place children who (i) immediately prior to their adoption were youth in care or (ii) were determined eligible for financial assistance with respect to a prior adoption and who become available for adoption because the prior adoption has been dissolved and the parental rights of the adoptive parents have been terminated or because the child's adoptive parents have died. The Department may continue to provide financial assistance and education assistance grants for a child who was determined eligible for financial assistance under this subsection (j) in the interim period beginning when the child's adoptive parents died and ending with the finalization of the new adoption of the child by another adoptive parent or parents. The Department may also provide categories of financial assistance and education assistance grants, and shall establish rules and regulations for the assistance and grants, to persons appointed guardian of the person under Section 5-7 of the Juvenile Court Act or Section 2-27, 3-28, 4-25, or 5-740 of the Juvenile Court Act of 1987 for children who were youth in care for 12 months immediately prior to the appointment of the guardian.

The amount of assistance may vary, depending upon the needs of the child and the adoptive parents, as set forth in the annual assistance agreement. Special purpose grants are allowed where the child requires special service but such costs may not exceed the amounts which similar services would cost the Department if it were to provide or secure them as guardian of the child.

Any financial assistance provided under this subsection is inalienable by assignment, sale, execution, attachment, garnishment, or any other remedy for recovery or collection of a judgment or debt.

(j-5) The Department shall not deny or delay the placement of a child for adoption if an approved family is available either outside of the Department region handling the case, or outside of the State of Illinois.

(k) The Department shall accept for care and training any child who has been adjudicated neglected or abused, or dependent committed to it pursuant to the Juvenile Court Act or the Juvenile Court Act of 1987.

(l) The Department shall offer family preservation services, as defined in Section 8.2 of the Abused and Neglected Child Reporting Act, to help families, including adoptive and extended families. Family preservation services shall be offered (i) to prevent the placement of children in substitute care when the children can be cared for at home or in the custody of the person responsible for the children's welfare, (ii) to reunite children with their families, or (iii) to maintain an adoptive placement. Family preservation services shall only be offered when doing so will not endanger the children's health or safety. With respect to children who are in substitute care pursuant to the Juvenile Court Act of 1987, family preservation

services shall not be offered if a goal other than those of subdivisions (A), (B), or (B-1) of subsection (2) of Section 2-28 of that Act has been set, except that reunification services may be offered as provided in paragraph (F) of subsection (2) of Section 2-28 of that Act. Nothing in this paragraph shall be construed to create a private right of action or claim on the part of any individual or child welfare agency, except that when a child is the subject of an action under Article II of the Juvenile Court Act of 1987 and the child's service plan calls for services to facilitate achievement of the permanency goal, the court hearing the action under Article II of the Juvenile Court Act of 1987 may order the Department to provide the services set out in the plan, if those services are not provided with reasonable promptness and if those services are available.

The Department shall notify the child and the child's family of the Department's responsibility to offer and provide family preservation services as identified in the service plan. The child and the child's family shall be eligible for services as soon as the report is determined to be "indicated". The Department may offer services to any child or family with respect to whom a report of suspected child abuse or neglect has been filed, prior to concluding its investigation under Section 7.12 of the Abused and Neglected Child Reporting Act. However, the child's or family's willingness to accept services shall not be considered in the investigation. The Department may also provide services to any child or family who is the subject of any report of suspected child abuse or neglect or may refer such child or family to services available from other agencies in the community, even if the report is determined to be unfounded, if the conditions in the child's or family's home are reasonably likely to subject the child or family to future reports of suspected child abuse or neglect. Acceptance of such services shall be voluntary. The Department may also provide services to any child or family after completion of a family assessment, as an alternative to an investigation, as provided under the "differential response program" provided for in subsection (a-5) of Section 7.4 of the Abused and Neglected Child Reporting Act.

The Department may, at its discretion except for those children also adjudicated neglected or dependent, accept for care and training any child who has been adjudicated addicted, as a truant minor in need of supervision or as a minor requiring authoritative intervention, under the Juvenile Court Act or the Juvenile Court Act of 1987, but no such child shall be committed to the Department by any court without the approval of the Department. On and after January 1, 2015 (the effective date of Public Act 98-803) and before January 1, 2017, a minor charged with a criminal offense under the Criminal Code of 1961 or the Criminal Code of 2012 or adjudicated delinquent shall not be placed in the custody of or committed to the Department by any court, except (i) a minor less than 16 years of age committed to the Department under Section 5-710 of the Juvenile Court Act of 1987, (ii) a minor for whom an independent basis of abuse, neglect, or dependency exists, which must be defined by departmental rule, or (iii) a minor for whom the court has granted a supplemental petition to reinstate wardship pursuant to subsection (2) of Section 2-33 of the Juvenile Court Act of 1987. On and after January 1, 2017, a minor charged with a criminal offense under the Criminal Code of 1961 or the Criminal Code of 2012 or adjudicated delinquent shall not be placed in the custody of or committed to the Department by any court, except (i) a minor less than 15 years of age committed to the Department under Section 5-710 of the Juvenile Court Act of 1987, (ii) a minor for whom an independent basis of abuse, neglect, or dependency exists, which must be defined by departmental rule, or (iii) a minor for whom the court has granted a supplemental petition to reinstate wardship pursuant to subsection (2) of Section 2-33 of the Juvenile Court Act of 1987. An independent basis exists when the allegations or adjudication of abuse, neglect, or dependency do not arise from the same facts, incident, or circumstances which give rise to a charge or adjudication of delinquency. The Department shall assign a caseworker to attend any hearing involving a youth in the care and custody of the Department who is placed on aftercare release, including hearings involving sanctions for violation of aftercare release conditions and aftercare release revocation hearings.

As soon as is possible after August 7, 2009 (the effective date of Public Act 96-134), the Department shall develop and implement a special program of family preservation services to support intact, foster, and adoptive families who are experiencing extreme hardships due to the difficulty and stress of caring for a child who has been diagnosed with a pervasive developmental disorder if the Department determines that those services are necessary to ensure the health and safety of the child. The Department may offer services to any family whether or not a report has been filed under the Abused and Neglected Child Reporting Act. The Department may refer the child or family to services available from other agencies in the community if the conditions in the child's or family's home are reasonably likely to subject the child or family to future reports of suspected child abuse or neglect. Acceptance of these services shall be voluntary. The Department shall develop and implement a public information campaign to alert health and social service providers and the general public about these special family preservation services. The nature and scope of the services

offered and the number of families served under the special program implemented under this paragraph shall be determined by the level of funding that the Department annually allocates for this purpose. The term "pervasive developmental disorder" under this paragraph means a neurological condition, including, but not limited to, Asperger's Syndrome and autism, as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association.

(l-1) The General Assembly recognizes that the best interests of the child require that the child be placed in the most permanent living arrangement as soon as is practically possible. To achieve this goal, the General Assembly directs the Department of Children and Family Services to conduct concurrent planning so that permanency may occur at the earliest opportunity. Permanent living arrangements may include prevention of placement of a child outside the home of the family when the child can be cared for at home without endangering the child's health or safety; reunification with the family, when safe and appropriate, if temporary placement is necessary; or movement of the child toward the most permanent living arrangement and permanent legal status.

When determining reasonable efforts to be made with respect to a child, as described in this subsection, and in making such reasonable efforts, the child's health and safety shall be the paramount concern.

When a child is placed in foster care, the Department shall ensure and document that reasonable efforts were made to prevent or eliminate the need to remove the child from the child's home. The Department must make reasonable efforts to reunify the family when temporary placement of the child occurs unless otherwise required, pursuant to the Juvenile Court Act of 1987. At any time after the dispositional hearing where the Department believes that further reunification services would be ineffective, it may request a finding from the court that reasonable efforts are no longer appropriate. The Department is not required to provide further reunification services after such a finding.

A decision to place a child in substitute care shall be made with considerations of the child's health, safety, and best interests. At the time of placement, consideration should also be given so that if reunification fails or is delayed, the placement made is the best available placement to provide permanency for the child.

The Department shall adopt rules addressing concurrent planning for reunification and permanency. The Department shall consider the following factors when determining appropriateness of concurrent planning:

- (1) the likelihood of prompt reunification;
 - (2) the past history of the family;
 - (3) the barriers to reunification being addressed by the family;
 - (4) the level of cooperation of the family;
 - (5) the foster parents' willingness to work with the family to reunite;
 - (6) the willingness and ability of the foster family to provide an adoptive home or long-term placement;
 - (7) the age of the child;
 - (8) placement of siblings.
- (m) The Department may assume temporary custody of any child if:

- (1) it has received a written consent to such temporary custody signed by the parents of the child or by the parent having custody of the child if the parents are not living together or by the guardian or custodian of the child if the child is not in the custody of either parent, or
- (2) the child is found in the State and neither a parent, guardian nor custodian of the child can be located.

If the child is found in the child's residence without a parent, guardian, custodian, or responsible caretaker, the Department may, instead of removing the child and assuming temporary custody, place an authorized representative of the Department in that residence until such time as a parent, guardian, or custodian enters the home and expresses a willingness and apparent ability to ensure the child's health and safety and resume permanent charge of the child, or until a relative enters the home and is willing and able to ensure the child's health and safety and assume charge of the child until a parent, guardian, or custodian enters the home and expresses such willingness and ability to ensure the child's safety and resume permanent charge. After a caretaker has remained in the home for a period not to exceed 12 hours, the Department must follow those procedures outlined in Section 2-9, 3-11, 4-8, or 5-415 of the Juvenile Court Act of 1987.

The Department shall have the authority, responsibilities and duties that a legal custodian of the child would have pursuant to subsection (9) of Section 1-3 of the Juvenile Court Act of 1987. Whenever a child is

taken into temporary custody pursuant to an investigation under the Abused and Neglected Child Reporting Act, or pursuant to a referral and acceptance under the Juvenile Court Act of 1987 of a minor in limited custody, the Department, during the period of temporary custody and before the child is brought before a judicial officer as required by Section 2-9, 3-11, 4-8, or 5-415 of the Juvenile Court Act of 1987, shall have the authority, responsibilities and duties that a legal custodian of the child would have under subsection (9) of Section 1-3 of the Juvenile Court Act of 1987.

The Department shall ensure that any child taken into custody is scheduled for an appointment for a medical examination.

A parent, guardian, or custodian of a child in the temporary custody of the Department who would have custody of the child if the child were not in the temporary custody of the Department may deliver to the Department a signed request that the Department surrender the temporary custody of the child. The Department may retain temporary custody of the child for 10 days after the receipt of the request, during which period the Department may cause to be filed a petition pursuant to the Juvenile Court Act of 1987. If a petition is so filed, the Department shall retain temporary custody of the child until the court orders otherwise. If a petition is not filed within the 10-day period, the child shall be surrendered to the custody of the requesting parent, guardian, or custodian not later than the expiration of the 10-day period, at which time the authority and duties of the Department with respect to the temporary custody of the child shall terminate.

(m-1) The Department may place children under 18 years of age in a secure child care facility licensed by the Department that cares for children who are in need of secure living arrangements for their health, safety, and well-being after a determination is made by the facility director and the Director or the Director's designate prior to admission to the facility subject to Section 2-27.1 of the Juvenile Court Act of 1987. This subsection (m-1) does not apply to a child who is subject to placement in a correctional facility operated pursuant to Section 3-15-2 of the Unified Code of Corrections, unless the child is a youth in care who was placed in the care of the Department before being subject to placement in a correctional facility and a court of competent jurisdiction has ordered placement of the child in a secure care facility.

(n) The Department may place children under 18 years of age in licensed child care facilities when in the opinion of the Department, appropriate services aimed at family preservation have been unsuccessful and cannot ensure the child's health and safety or are unavailable and such placement would be for their best interest. Payment for board, clothing, care, training and supervision of any child placed in a licensed child care facility may be made by the Department, by the parents or guardians of the estates of those children, or by both the Department and the parents or guardians, except that no payments shall be made by the Department for any child placed in a licensed child care facility for board, clothing, care, training, and supervision of such a child that exceed the average per capita cost of maintaining and of caring for a child in institutions for dependent or neglected children operated by the Department. However, such restriction on payments does not apply in cases where children require specialized care and treatment for problems of severe emotional disturbance, physical disability, social adjustment, or any combination thereof and suitable facilities for the placement of such children are not available at payment rates within the limitations set forth in this Section. All reimbursements for services delivered shall be absolutely inalienable by assignment, sale, attachment, or garnishment or otherwise.

(n-1) The Department shall provide or authorize child welfare services, aimed at assisting minors to achieve sustainable self-sufficiency as independent adults, for any minor eligible for the reinstatement of wardship pursuant to subsection (2) of Section 2-33 of the Juvenile Court Act of 1987, whether or not such reinstatement is sought or allowed, provided that the minor consents to such services and has not yet attained the age of 21. The Department shall have responsibility for the development and delivery of services under this Section. An eligible youth may access services under this Section through the Department of Children and Family Services or by referral from the Department of Human Services. Youth participating in services under this Section shall cooperate with the assigned case manager in developing an agreement identifying the services to be provided and how the youth will increase skills to achieve self-sufficiency. A homeless shelter is not considered appropriate housing for any youth receiving child welfare services under this Section. The Department shall continue child welfare services under this Section to any eligible minor until the minor becomes 21 years of age, no longer consents to participate, or achieves self-sufficiency as identified in the minor's service plan. The Department of Children and Family Services shall create clear, readable notice of the rights of former foster youth to child welfare services under this Section and how such services may be obtained. The Department of Children and Family Services and the Department of Human Services shall disseminate this information statewide. The Department shall adopt

regulations describing services intended to assist minors in achieving sustainable self-sufficiency as independent adults.

(o) The Department shall establish an administrative review and appeal process for children and families who request or receive child welfare services from the Department. Youth in care who are placed by private child welfare agencies, and foster families with whom those youth are placed, shall be afforded the same procedural and appeal rights as children and families in the case of placement by the Department, including the right to an initial review of a private agency decision by that agency. The Department shall ensure that any private child welfare agency, which accepts youth in care for placement, affords those rights to children and foster families. The Department shall accept for administrative review and an appeal hearing a complaint made by (i) a child or foster family concerning a decision following an initial review by a private child welfare agency or (ii) a prospective adoptive parent who alleges a violation of subsection (j-5) of this Section. An appeal of a decision concerning a change in the placement of a child shall be conducted in an expedited manner. A court determination that a current foster home placement is necessary and appropriate under Section 2-28 of the Juvenile Court Act of 1987 does not constitute a judicial determination on the merits of an administrative appeal, filed by a former foster parent, involving a change of placement decision.

(p) (Blank).

(q) The Department may receive and use, in their entirety, for the benefit of children any gift, donation, or bequest of money or other property which is received on behalf of such children, or any financial benefits to which such children are or may become entitled while under the jurisdiction or care of the Department, except that the benefits described in Section 5.46 must be used and conserved consistent with the provisions under Section 5.46.

The Department shall set up and administer no-cost, interest-bearing accounts in appropriate financial institutions for children for whom the Department is legally responsible and who have been determined eligible for Veterans' Benefits, Social Security benefits, assistance allotments from the armed forces, court ordered payments, parental voluntary payments, Supplemental Security Income, Railroad Retirement payments, Black Lung benefits, or other miscellaneous payments. Interest earned by each account shall be credited to the account, unless disbursed in accordance with this subsection.

In disbursing funds from children's accounts, the Department shall:

(1) Establish standards in accordance with State and federal laws for disbursing money from children's accounts. In all circumstances, the Department's Guardianship Administrator or the Guardianship Administrator's designee must approve disbursements from children's accounts. The Department shall be responsible for keeping complete records of all disbursements for each account for any purpose.

(2) Calculate on a monthly basis the amounts paid from State funds for the child's board and care, medical care not covered under Medicaid, and social services; and utilize funds from the child's account, as covered by regulation, to reimburse those costs. Monthly, disbursements from all children's accounts, up to 1/12 of \$13,000,000, shall be deposited by the Department into the General Revenue Fund and the balance over 1/12 of \$13,000,000 into the DCFS Children's Services Fund.

(3) Maintain any balance remaining after reimbursing for the child's costs of care, as specified in item (2). The balance shall accumulate in accordance with relevant State and federal laws and shall be disbursed to the child or the child's guardian or to the issuing agency.

(r) The Department shall promulgate regulations encouraging all adoption agencies to voluntarily forward to the Department or its agent names and addresses of all persons who have applied for and have been approved for adoption of a hard-to-place child or child with a disability and the names of such children who have not been placed for adoption. A list of such names and addresses shall be maintained by the Department or its agent, and coded lists which maintain the confidentiality of the person seeking to adopt the child and of the child shall be made available, without charge, to every adoption agency in the State to assist the agencies in placing such children for adoption. The Department may delegate to an agent its duty to maintain and make available such lists. The Department shall ensure that such agent maintains the confidentiality of the person seeking to adopt the child and of the child.

(s) The Department of Children and Family Services may establish and implement a program to reimburse Department and private child welfare agency foster parents licensed by the Department of Children and Family Services for damages sustained by the foster parents as a result of the malicious or negligent acts of foster children, as well as providing third party coverage for such foster parents with regard to actions of foster children to other individuals. Such coverage will be secondary to the foster parent

liability insurance policy, if applicable. The program shall be funded through appropriations from the General Revenue Fund, specifically designated for such purposes.

(t) The Department shall perform home studies and investigations and shall exercise supervision over visitation as ordered by a court pursuant to the Illinois Marriage and Dissolution of Marriage Act or the Adoption Act only if:

(1) an order entered by an Illinois court specifically directs the Department to perform such services; and

(2) the court has ordered one or both of the parties to the proceeding to reimburse the Department for its reasonable costs for providing such services in accordance with Department rules, or has determined that neither party is financially able to pay.

The Department shall provide written notification to the court of the specific arrangements for supervised visitation and projected monthly costs within 60 days of the court order. The Department shall send to the court information related to the costs incurred except in cases where the court has determined the parties are financially unable to pay. The court may order additional periodic reports as appropriate.

(u) In addition to other information that must be provided, whenever the Department places a child with a prospective adoptive parent or parents, in a licensed foster home, group home, or child care institution, or in a relative home, the Department shall provide to the prospective adoptive parent or parents or other caretaker:

(1) available detailed information concerning the child's educational and health history, copies of immunization records (including insurance and medical card information), a history of the child's previous placements, if any, and reasons for placement changes excluding any information that identifies or reveals the location of any previous caretaker;

(2) a copy of the child's portion of the client service plan, including any visitation arrangement, and all amendments or revisions to it as related to the child; and

(3) information containing details of the child's individualized educational plan when the child is receiving special education services.

The caretaker shall be informed of any known social or behavioral information (including, but not limited to, criminal background, fire setting, perpetuation of sexual abuse, destructive behavior, and substance abuse) necessary to care for and safeguard the children to be placed or currently in the home. The Department may prepare a written summary of the information required by this paragraph, which may be provided to the foster or prospective adoptive parent in advance of a placement. The foster or prospective adoptive parent may review the supporting documents in the child's file in the presence of casework staff. In the case of an emergency placement, casework staff shall at least provide known information verbally, if necessary, and must subsequently provide the information in writing as required by this subsection.

The information described in this subsection shall be provided in writing. In the case of emergency placements when time does not allow prior review, preparation, and collection of written information, the Department shall provide such information as it becomes available. Within 10 business days after placement, the Department shall obtain from the prospective adoptive parent or parents or other caretaker a signed verification of receipt of the information provided. Within 10 business days after placement, the Department shall provide to the child's guardian ad litem a copy of the information provided to the prospective adoptive parent or parents or other caretaker. The information provided to the prospective adoptive parent or parents or other caretaker shall be reviewed and approved regarding accuracy at the supervisory level.

(u-5) Effective July 1, 1995, only foster care placements licensed as foster family homes pursuant to the Child Care Act of 1969 shall be eligible to receive foster care payments from the Department. Relative caregivers who, as of July 1, 1995, were approved pursuant to approved relative placement rules previously promulgated by the Department at 89 Ill. Adm. Code 335 and had submitted an application for licensure as a foster family home may continue to receive foster care payments only until the Department determines that they may be licensed as a foster family home or that their application for licensure is denied or until September 30, 1995, whichever occurs first.

(v) The Department shall access criminal history record information as defined in the Illinois Uniform Conviction Information Act and information maintained in the adjudicatory and dispositional record system as defined in Section 2605-355 of the Illinois State Police Law if the Department determines the information is necessary to perform its duties under the Abused and Neglected Child Reporting Act, the Child Care Act of 1969, and the Children and Family Services Act. The Department shall provide for interactive computerized communication and processing equipment that permits direct on-line communication with the

Illinois State Police's central criminal history data repository. The Department shall comply with all certification requirements and provide certified operators who have been trained by personnel from the Illinois State Police. In addition, one Office of the Inspector General investigator shall have training in the use of the criminal history information access system and have access to the terminal. The Department of Children and Family Services and its employees shall abide by rules and regulations established by the Illinois State Police relating to the access and dissemination of this information.

(v-1) Prior to final approval for placement of a child, the Department shall conduct a criminal records background check of the prospective foster or adoptive parent, including fingerprint-based checks of national crime information databases. Final approval for placement shall not be granted if the record check reveals a felony conviction for child abuse or neglect, for spousal abuse, for a crime against children, or for a crime involving violence, including rape, sexual assault, or homicide, but not including other physical assault or battery, or if there is a felony conviction for physical assault, battery, or a drug-related offense committed within the past 5 years.

(v-2) Prior to final approval for placement of a child, the Department shall check its child abuse and neglect registry for information concerning prospective foster and adoptive parents, and any adult living in the home. If any prospective foster or adoptive parent or other adult living in the home has resided in another state in the preceding 5 years, the Department shall request a check of that other state's child abuse and neglect registry.

(w) Within 120 days of August 20, 1995 (the effective date of Public Act 89-392), the Department shall prepare and submit to the Governor and the General Assembly, a written plan for the development of in-state licensed secure child care facilities that care for children who are in need of secure living arrangements for their health, safety, and well-being. For purposes of this subsection, secure care facility shall mean a facility that is designed and operated to ensure that all entrances and exits from the facility, a building or a distinct part of the building, are under the exclusive control of the staff of the facility, whether or not the child has the freedom of movement within the perimeter of the facility, building, or distinct part of the building. The plan shall include descriptions of the types of facilities that are needed in Illinois; the cost of developing these secure care facilities; the estimated number of placements; the potential cost savings resulting from the movement of children currently out-of-state who are projected to be returned to Illinois; the necessary geographic distribution of these facilities in Illinois; and a proposed timetable for development of such facilities.

(x) The Department shall conduct annual credit history checks to determine the financial history of children placed under its guardianship pursuant to the Juvenile Court Act of 1987. The Department shall conduct such credit checks starting when a youth in care turns 12 years old and each year thereafter for the duration of the guardianship as terminated pursuant to the Juvenile Court Act of 1987. The Department shall determine if financial exploitation of the child's personal information has occurred. If financial exploitation appears to have taken place or is presently ongoing, the Department shall notify the proper law enforcement agency, the proper State's Attorney, or the Attorney General.

(y) Beginning on July 22, 2010 (the effective date of Public Act 96-1189), a child with a disability who receives residential and educational services from the Department shall be eligible to receive transition services in accordance with Article 14 of the School Code from the age of 14.5 through age 21, inclusive, notwithstanding the child's residential services arrangement. For purposes of this subsection, "child with a disability" means a child with a disability as defined by the federal Individuals with Disabilities Education Improvement Act of 2004.

(z) The Department shall access criminal history record information as defined as "background information" in this subsection and criminal history record information as defined in the Illinois Uniform Conviction Information Act for each Department employee or Department applicant. Each Department employee or Department applicant shall submit the employee's or applicant's fingerprints to the Illinois State Police in the form and manner prescribed by the Illinois State Police. These fingerprints shall be checked against the fingerprint records now and hereafter filed in the Illinois State Police and the Federal Bureau of Investigation criminal history records databases. The Illinois State Police shall charge a fee for conducting the criminal history record check, which shall be deposited into the State Police Services Fund and shall not exceed the actual cost of the record check. The Illinois State Police shall furnish, pursuant to positive identification, all Illinois conviction information to the Department of Children and Family Services.

For purposes of this subsection:

"Background information" means all of the following:

(i) Upon the request of the Department of Children and Family Services, conviction information obtained from the Illinois State Police as a result of a fingerprint-based criminal history records check of the Illinois criminal history records database and the Federal Bureau of Investigation criminal history records database concerning a Department employee or Department applicant.

(ii) Information obtained by the Department of Children and Family Services after performing a check of the Illinois State Police's Sex Offender Database, as authorized by Section 120 of the Sex Offender Community Notification Law, concerning a Department employee or Department applicant.

(iii) Information obtained by the Department of Children and Family Services after performing a check of the Child Abuse and Neglect Tracking System (CANTS) operated and maintained by the Department.

"Department employee" means a full-time or temporary employee coded or certified within the State of Illinois Personnel System.

"Department applicant" means an individual who has conditional Department full-time or part-time work, a contractor, an individual used to replace or supplement staff, an academic intern, a volunteer in Department offices or on Department contracts, a work-study student, an individual or entity licensed by the Department, or an unlicensed service provider who works as a condition of a contract or an agreement and whose work may bring the unlicensed service provider into contact with Department clients or client records.

(Source: P.A. 102-538, eff. 8-20-21; 102-558, eff. 8-20-21; 102-1014, eff. 5-27-22; 103-22, eff. 8-8-23; 103-50, eff. 1-1-24; 103-546, eff. 8-11-23; 103-605, eff. 7-1-24.)

(Text of Section after amendment by P.A. 103-1061)

Sec. 5. Direct child welfare services; Department of Children and Family Services. To provide direct child welfare services when not available through other public or private child care or program facilities.

(a) For purposes of this Section:

(1) "Children" means persons found within the State who are under the age of 18 years. The term also includes persons under age 21 who:

(A) were committed to the Department pursuant to the Juvenile Court Act or the Juvenile Court Act of 1987 and who continue under the jurisdiction of the court; or

(B) were accepted for care, service and training by the Department prior to the age of 18 and whose best interest in the discretion of the Department would be served by continuing that care, service and training because of severe emotional disturbances, physical disability, social adjustment or any combination thereof, or because of the need to complete an educational or vocational training program.

(2) "Homeless youth" means persons found within the State who are under the age of 19, are not in a safe and stable living situation and cannot be reunited with their families.

(3) "Child welfare services" means public social services which are directed toward the accomplishment of the following purposes:

(A) protecting and promoting the health, safety and welfare of children, including homeless, dependent, or neglected children;

(B) remedying, or assisting in the solution of problems which may result in, the neglect, abuse, exploitation, or delinquency of children;

(C) preventing the unnecessary separation of children from their families by identifying family problems, assisting families in resolving their problems, and preventing the breakup of the family where the prevention of child removal is desirable and possible when the child can be cared for at home without endangering the child's health and safety;

(D) restoring to their families children who have been removed, by the provision of services to the child and the families when the child can be cared for at home without endangering the child's health and safety;

(E) placing children in suitable permanent family arrangements, through guardianship or adoption, in cases where restoration to the birth family is not safe, possible, or appropriate;

(F) at the time of placement, conducting concurrent planning, as described in subsection (1-1) of this Section, so that permanency may occur at the earliest opportunity. Consideration should be given so that if reunification fails or is delayed, the placement made is the best available placement to provide permanency for the child;

(F-1) preparing adolescents to successfully transition to independence, including transition planning for youth who qualify for a guardian as a person with a disability under Article XIa of the Probate Act of 1975;

(G) (blank);

(H) (blank); and

(I) placing and maintaining children in facilities that provide separate living quarters for children under the age of 18 and for children 18 years of age and older, unless a child 18 years of age is in the last year of high school education or vocational training, in an approved individual or group treatment program, in a licensed shelter facility, or secure child care facility. The Department is not required to place or maintain children:

(i) who are in a foster home, or

(ii) who are persons with a developmental disability, as defined in the Mental Health and Developmental Disabilities Code, or

(iii) who are female children who are pregnant, pregnant and parenting, or parenting, or

(iv) who are siblings, in facilities that provide separate living quarters for children 18 years of age and older and for children under 18 years of age.

(b) (Blank).

(b-5) The Department shall adopt rules to establish a process for all licensed residential providers in Illinois to submit data as required by the Department if they contract or receive reimbursement for children's mental health, substance use, and developmental disability services from the Department of Human Services, the Department of Juvenile Justice, or the Department of Healthcare and Family Services. The requested data must include, but is not limited to, capacity, staffing, and occupancy data for the purpose of establishing State need and placement availability.

All information collected, shared, or stored pursuant to this subsection shall be handled in accordance with all State and federal privacy laws and accompanying regulations and rules, including without limitation the federal Health Insurance Portability and Accountability Act of 1996 (Public Law 104-191) and the Mental Health and Developmental Disabilities Confidentiality Act.

(c) The Department shall establish and maintain tax-supported child welfare services and extend and seek to improve voluntary services throughout the State, to the end that services and care shall be available on an equal basis throughout the State to children requiring such services.

(d) The Director may authorize advance disbursements for any new program initiative to any agency contracting with the Department. As a prerequisite for an advance disbursement, the contractor must post a surety bond in the amount of the advance disbursement and have a purchase of service contract approved by the Department. The Department may pay up to 2 months operational expenses in advance. The amount of the advance disbursement shall be prorated over the life of the contract or the remaining months of the fiscal year, whichever is less, and the installment amount shall then be deducted from future bills. Advance disbursement authorizations for new initiatives shall not be made to any agency after that agency has operated during 2 consecutive fiscal years. The requirements of this Section concerning advance disbursements shall not apply with respect to the following: payments to local public agencies for child day care services as authorized by Section 5a of this Act; and youth service programs receiving grant funds under Section 17a-4.

(e) (Blank).

(f) (Blank).

(g) The Department shall establish rules and regulations concerning its operation of programs designed to meet the goals of child safety and protection, family preservation, and permanency, including, but not limited to:

(1) reunification, guardianship, and adoption;

(2) relative and licensed foster care;

(3) family counseling;

(4) protective services;

(5) (blank);

(6) homemaker service;

(7) return of runaway children;

(8) (blank);

(9) placement under Section 5-7 of the Juvenile Court Act or Section 2-27, 3-28, 4-25, or 5-740 of the Juvenile Court Act of 1987 in accordance with the federal Adoption Assistance and Child Welfare Act of 1980; ~~and~~

(10) interstate services; and -

(11) transition planning for youth aging out of care.

Rules and regulations established by the Department shall include provisions for training Department staff and the staff of Department grantees, through contracts with other agencies or resources, in screening techniques to identify substance use disorders, as defined in the Substance Use Disorder Act, approved by the Department of Human Services, as a successor to the Department of Alcoholism and Substance Abuse, for the purpose of identifying children and adults who should be referred for an assessment at an organization appropriately licensed by the Department of Human Services for substance use disorder treatment.

(h) If the Department finds that there is no appropriate program or facility within or available to the Department for a youth in care and that no licensed private facility has an adequate and appropriate program or none agrees to accept the youth in care, the Department shall create an appropriate individualized, program-oriented plan for such youth in care. The plan may be developed within the Department or through purchase of services by the Department to the extent that it is within its statutory authority to do.

(i) Service programs shall be available throughout the State and shall include but not be limited to the following services:

- (1) case management;
- (2) homemakers;
- (3) counseling;
- (4) parent education;
- (5) day care;
- (6) emergency assistance and advocacy; and
- (7) kinship navigator and relative caregiver supports.

In addition, the following services may be made available to assess and meet the needs of children and families:

- (1) comprehensive family-based services;
- (2) assessments;
- (3) respite care; and
- (4) in-home health services.

The Department shall provide transportation for any of the services it makes available to children or families or for which it refers children or families.

(j) The Department may provide categories of financial assistance and education assistance grants, and shall establish rules and regulations concerning the assistance and grants, to persons who adopt or become subsidized guardians of children with physical or mental disabilities, children who are older, or other hard-to-place children who (i) immediately prior to their adoption or subsidized guardianship were youth in care or (ii) were determined eligible for financial assistance with respect to a prior adoption and who become available for adoption because the prior adoption has been dissolved and the parental rights of the adoptive parents have been terminated or because the child's adoptive parents have died. The Department may continue to provide financial assistance and education assistance grants for a child who was determined eligible for financial assistance under this subsection (j) in the interim period beginning when the child's adoptive parents died and ending with the finalization of the new adoption of the child by another adoptive parent or parents. The Department may also provide categories of financial assistance and education assistance grants, and shall establish rules and regulations for the assistance and grants, to persons appointed guardian of the person under Section 5-7 of the Juvenile Court Act or Section 2-27, 3-28, 4-25, or 5-740 of the Juvenile Court Act of 1987 for children who were youth in care for 12 months immediately prior to the appointment of the guardian.

The amount of assistance may vary, depending upon the needs of the child and the adoptive parents or subsidized guardians, as set forth in the annual assistance agreement. Special purpose grants are allowed where the child requires special service but such costs may not exceed the amounts which similar services would cost the Department if it were to provide or secure them as guardian of the child.

Any financial assistance provided under this subsection is inalienable by assignment, sale, execution, attachment, garnishment, or any other remedy for recovery or collection of a judgment or debt.

(j-5) The Department shall not deny or delay the placement of a child for adoption if an approved family is available either outside of the Department region handling the case, or outside of the State of Illinois.

(k) The Department shall accept for care and training any child who has been adjudicated neglected or abused, or dependent committed to it pursuant to the Juvenile Court Act or the Juvenile Court Act of 1987.

(l) The Department shall offer family preservation services, as defined in Section 8.2 of the Abused and Neglected Child Reporting Act, to help families, including adoptive and extended families. Family preservation services shall be offered (i) to prevent the placement of children in substitute care when the children can be cared for at home or in the custody of the person responsible for the children's welfare, (ii) to reunite children with their families, or (iii) to maintain an adoption or subsidized guardianship. Family preservation services shall only be offered when doing so will not endanger the children's health or safety. With respect to children who are in substitute care pursuant to the Juvenile Court Act of 1987, family preservation services shall not be offered if a goal other than those of subdivisions (A), (B), or (B-1) of subsection (2.3) of Section 2-28 of that Act has been set, except that reunification services may be offered as provided in paragraph (F) of subsection (2.3) of Section 2-28 of that Act. Nothing in this paragraph shall be construed to create a private right of action or claim on the part of any individual or child welfare agency, except that when a child is the subject of an action under Article II of the Juvenile Court Act of 1987 and the child's service plan calls for services to facilitate achievement of the permanency goal, the court hearing the action under Article II of the Juvenile Court Act of 1987 may order the Department to provide the services set out in the plan, if those services are not provided with reasonable promptness and if those services are available.

The Department shall notify the child and the child's family of the Department's responsibility to offer and provide family preservation services as identified in the service plan. The child and the child's family shall be eligible for services as soon as the report is determined to be "indicated". The Department may offer services to any child or family with respect to whom a report of suspected child abuse or neglect has been filed, prior to concluding its investigation under Section 7.12 of the Abused and Neglected Child Reporting Act. However, the child's or family's willingness to accept services shall not be considered in the investigation. The Department may also provide services to any child or family who is the subject of any report of suspected child abuse or neglect or may refer such child or family to services available from other agencies in the community, even if the report is determined to be unfounded, if the conditions in the child's or family's home are reasonably likely to subject the child or family to future reports of suspected child abuse or neglect. Acceptance of such services shall be voluntary. The Department may also provide services to any child or family after completion of a family assessment, as an alternative to an investigation, as provided under the "differential response program" provided for in subsection (a-5) of Section 7.4 of the Abused and Neglected Child Reporting Act.

The Department may, at its discretion except for those children also adjudicated neglected or dependent, accept for care and training any child who has been adjudicated addicted, as a truant minor in need of supervision or as a minor requiring authoritative intervention, under the Juvenile Court Act or the Juvenile Court Act of 1987, but no such child shall be committed to the Department by any court without the approval of the Department. On and after January 1, 2015 (the effective date of Public Act 98-803) and before January 1, 2017, a minor charged with a criminal offense under the Criminal Code of 1961 or the Criminal Code of 2012 or adjudicated delinquent shall not be placed in the custody of or committed to the Department by any court, except (i) a minor less than 16 years of age committed to the Department under Section 5-710 of the Juvenile Court Act of 1987, (ii) a minor for whom an independent basis of abuse, neglect, or dependency exists, which must be defined by departmental rule, or (iii) a minor for whom the court has granted a supplemental petition to reinstate wardship pursuant to subsection (2) of Section 2-33 of the Juvenile Court Act of 1987. On and after January 1, 2017, a minor charged with a criminal offense under the Criminal Code of 1961 or the Criminal Code of 2012 or adjudicated delinquent shall not be placed in the custody of or committed to the Department by any court, except (i) a minor less than 15 years of age committed to the Department under Section 5-710 of the Juvenile Court Act of 1987, (ii) a minor for whom an independent basis of abuse, neglect, or dependency exists, which must be defined by departmental rule, or (iii) a minor for whom the court has granted a supplemental petition to reinstate wardship pursuant to subsection (2) of Section 2-33 of the Juvenile Court Act of 1987. An independent basis exists when the allegations or adjudication of abuse, neglect, or dependency do not arise from the same facts, incident, or circumstances which give rise to a charge or adjudication of delinquency. The Department shall assign a caseworker to attend any hearing involving a youth in the care and custody of the Department who is placed

on aftercare release, including hearings involving sanctions for violation of aftercare release conditions and aftercare release revocation hearings.

As soon as is possible, the Department shall develop and implement a special program of family preservation services to support intact, relative, foster, and adoptive families who are experiencing extreme hardships due to the difficulty and stress of caring for a child who has been diagnosed with a pervasive developmental disorder if the Department determines that those services are necessary to ensure the health and safety of the child. The Department may offer services to any family whether or not a report has been filed under the Abused and Neglected Child Reporting Act. The Department may refer the child or family to services available from other agencies in the community if the conditions in the child's or family's home are reasonably likely to subject the child or family to future reports of suspected child abuse or neglect. Acceptance of these services shall be voluntary. The Department shall develop and implement a public information campaign to alert health and social service providers and the general public about these special family preservation services. The nature and scope of the services offered and the number of families served under the special program implemented under this paragraph shall be determined by the level of funding that the Department annually allocates for this purpose. The term "pervasive developmental disorder" under this paragraph means a neurological condition, including, but not limited to, Asperger's Syndrome and autism, as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association.

(1-1) The General Assembly recognizes that the best interests of the child require that the child be placed in the most permanent living arrangement that is an appropriate option for the child, consistent with the child's best interest, using the factors set forth in subsection (4.05) of Section 1-3 of the Juvenile Court Act of 1987 as soon as is practically possible. To achieve this goal, the General Assembly directs the Department of Children and Family Services to conduct concurrent planning so that permanency may occur at the earliest opportunity. Permanent living arrangements may include prevention of placement of a child outside the home of the family when the child can be cared for at home without endangering the child's health or safety; reunification with the family, when safe and appropriate, if temporary placement is necessary; or movement of the child toward the most appropriate living arrangement and legal status.

When determining reasonable efforts to be made with respect to a child, as described in this subsection, and in making such reasonable efforts, the child's health and safety shall be the paramount concern.

When a child is placed in foster care, the Department shall ensure and document that reasonable efforts were made to prevent or eliminate the need to remove the child from the child's home. The Department must make reasonable efforts to reunify the family when temporary placement of the child occurs unless otherwise required, pursuant to the Juvenile Court Act of 1987. At any time after the dispositional hearing where the Department believes that further reunification services would be ineffective, it may request a finding from the court that reasonable efforts are no longer appropriate. The Department is not required to provide further reunification services after such a finding.

A decision to place a child in substitute care shall be made with considerations of the child's health, safety, and best interests. The Department shall make diligent efforts to place the child with a relative, document those diligent efforts, and document reasons for any failure or inability to secure such a relative placement. If the primary issue preventing an emergency placement of a child with a relative is a lack of resources, including, but not limited to, concrete goods, safety modifications, and services, the Department shall make diligent efforts to assist the relative in obtaining the necessary resources. No later than July 1, 2025, the Department shall adopt rules defining what is diligent and necessary in providing supports to potential relative placements. At the time of placement, consideration should also be given so that if reunification fails or is delayed, the placement has the potential to be an appropriate permanent placement for the child.

The Department shall adopt rules addressing concurrent planning for reunification and permanency. The Department shall consider the following factors when determining appropriateness of concurrent planning:

- (1) the likelihood of prompt reunification;
- (2) the past history of the family;
- (3) the barriers to reunification being addressed by the family;
- (4) the level of cooperation of the family;
- (4.5) the child's wishes;
- (5) the caregivers' willingness to work with the family to reunite;

- (6) the willingness and ability of the caregivers' to provide a permanent placement;
- (7) the age of the child;
- (8) placement of siblings; and
- (9) the wishes of the parent or parents unless the parental preferences are contrary to the best interests of the child.

(m) The Department may assume temporary custody of any child if:

(1) it has received a written consent to such temporary custody signed by the parents of the child or by the parent having custody of the child if the parents are not living together or by the guardian or custodian of the child if the child is not in the custody of either parent, or

(2) the child is found in the State and neither a parent, guardian nor custodian of the child can be located.

If the child is found in the child's residence without a parent, guardian, custodian, or responsible caretaker, the Department may, instead of removing the child and assuming temporary custody, place an authorized representative of the Department in that residence until such time as a parent, guardian, or custodian enters the home and expresses a willingness and apparent ability to ensure the child's health and safety and resume permanent charge of the child, or until a relative enters the home and is willing and able to ensure the child's health and safety and assume charge of the child until a parent, guardian, or custodian enters the home and expresses such willingness and ability to ensure the child's safety and resume permanent charge. After a caretaker has remained in the home for a period not to exceed 12 hours, the Department must follow those procedures outlined in Section 2-9, 3-11, 4-8, or 5-415 of the Juvenile Court Act of 1987.

The Department shall have the authority, responsibilities and duties that a legal custodian of the child would have pursuant to subsection (9) of Section 1-3 of the Juvenile Court Act of 1987. Whenever a child is taken into temporary custody pursuant to an investigation under the Abused and Neglected Child Reporting Act, or pursuant to a referral and acceptance under the Juvenile Court Act of 1987 of a minor in limited custody, the Department, during the period of temporary custody and before the child is brought before a judicial officer as required by Section 2-9, 3-11, 4-8, or 5-415 of the Juvenile Court Act of 1987, shall have the authority, responsibilities and duties that a legal custodian of the child would have under subsection (9) of Section 1-3 of the Juvenile Court Act of 1987.

The Department shall ensure that any child taken into custody is scheduled for an appointment for a medical examination.

A parent, guardian, or custodian of a child in the temporary custody of the Department who would have custody of the child if the child were not in the temporary custody of the Department may deliver to the Department a signed request that the Department surrender the temporary custody of the child. The Department may retain temporary custody of the child for 10 days after the receipt of the request, during which period the Department may cause to be filed a petition pursuant to the Juvenile Court Act of 1987. If a petition is so filed, the Department shall retain temporary custody of the child until the court orders otherwise. If a petition is not filed within the 10-day period, the child shall be surrendered to the custody of the requesting parent, guardian, or custodian not later than the expiration of the 10-day period, at which time the authority and duties of the Department with respect to the temporary custody of the child shall terminate.

(m-1) The Department may place children under 18 years of age in a secure child care facility licensed by the Department that cares for children who are in need of secure living arrangements for their health, safety, and well-being after a determination is made by the facility director and the Director or the Director's designate prior to admission to the facility subject to Section 2-27.1 of the Juvenile Court Act of 1987. This subsection (m-1) does not apply to a child who is subject to placement in a correctional facility operated pursuant to Section 3-15-2 of the Unified Code of Corrections, unless the child is a youth in care who was placed in the care of the Department before being subject to placement in a correctional facility and a court of competent jurisdiction has ordered placement of the child in a secure care facility.

(n) The Department may place children under 18 years of age in licensed child care facilities when in the opinion of the Department, appropriate services aimed at family preservation have been unsuccessful and cannot ensure the child's health and safety or are unavailable and such placement would be for their best interest. Payment for board, clothing, care, training and supervision of any child placed in a licensed child care facility may be made by the Department, by the parents or guardians of the estates of those children, or by both the Department and the parents or guardians, except that no payments shall be made by the Department for any child placed in a licensed child care facility for board, clothing, care, training, and supervision of such a child that exceed the average per capita cost of maintaining and of caring for a child in institutions for dependent or neglected children operated by the Department. However, such restriction on

payments does not apply in cases where children require specialized care and treatment for problems of severe emotional disturbance, physical disability, social adjustment, or any combination thereof and suitable facilities for the placement of such children are not available at payment rates within the limitations set forth in this Section. All reimbursements for services delivered shall be absolutely inalienable by assignment, sale, attachment, or garnishment or otherwise.

(n-1) The Department shall provide or authorize child welfare services, aimed at assisting minors to achieve sustainable self-sufficiency as independent adults, for any minor eligible for the reinstatement of wardship pursuant to subsection (2) of Section 2-33 of the Juvenile Court Act of 1987, whether or not such reinstatement is sought or allowed, provided that the minor consents to such services and has not yet attained the age of 21. The Department shall have responsibility for the development and delivery of services under this Section. An eligible youth may access services under this Section through the Department of Children and Family Services or by referral from the Department of Human Services. Youth participating in services under this Section shall cooperate with the assigned case manager in developing an agreement identifying the services to be provided and how the youth will increase skills to achieve self-sufficiency. A homeless shelter is not considered appropriate housing for any youth receiving child welfare services under this Section. The Department shall continue child welfare services under this Section to any eligible minor until the minor becomes 21 years of age, no longer consents to participate, or achieves self-sufficiency as identified in the minor's service plan. The Department of Children and Family Services shall create clear, readable notice of the rights of former foster youth to child welfare services under this Section and how such services may be obtained. The Department of Children and Family Services and the Department of Human Services shall disseminate this information statewide. The Department shall adopt regulations describing services intended to assist minors in achieving sustainable self-sufficiency as independent adults.

(o) The Department shall establish an administrative review and appeal process for children and families who request or receive child welfare services from the Department. Youth in care who are placed by private child welfare agencies, and caregivers with whom those youth are placed, shall be afforded the same procedural and appeal rights as children and families in the case of placement by the Department, including the right to an initial review of a private agency decision by that agency. The Department shall ensure that any private child welfare agency, which accepts youth in care for placement, affords those rights to children and caregivers with whom those children are placed. The Department shall accept for administrative review and an appeal hearing a complaint made by (i) a child or caregiver with whom the child is placed concerning a decision following an initial review by a private child welfare agency or (ii) a prospective adoptive parent who alleges a violation of subsection (j-5) of this Section. An appeal of a decision concerning a change in the placement of a child shall be conducted in an expedited manner. A court determination that a current placement is necessary and appropriate under Section 2-28 of the Juvenile Court Act of 1987 does not constitute a judicial determination on the merits of an administrative appeal, filed by a former caregiver, involving a change of placement decision. No later than July 1, 2025, the Department shall adopt rules to develop a reconsideration process to review: a denial of certification of a relative, a denial of placement with a relative, and a denial of visitation with an identified relative. Rules shall include standards and criteria for reconsideration that incorporate the best interests of the child under subsection (4.05) of Section 1-3 of the Juvenile Court Act of 1987, address situations where multiple relatives seek certification, and provide that all rules regarding placement changes shall be followed. The rules shall outline the essential elements of each form used in the implementation and enforcement of the provisions of this amendatory Act of the 103rd General Assembly.

(p) (Blank).

(q) The Department may receive and use, in their entirety, for the benefit of children any gift, donation, or bequest of money or other property which is received on behalf of such children, or any financial benefits to which such children are or may become entitled while under the jurisdiction or care of the Department, except that the benefits described in Section 5.46 must be used and conserved consistent with the provisions under Section 5.46.

The Department shall set up and administer no-cost, interest-bearing accounts in appropriate financial institutions for children for whom the Department is legally responsible and who have been determined eligible for Veterans' Benefits, Social Security benefits, assistance allotments from the armed forces, court ordered payments, parental voluntary payments, Supplemental Security Income, Railroad Retirement payments, Black Lung benefits, or other miscellaneous payments. Interest earned by each account shall be credited to the account, unless disbursed in accordance with this subsection.

In disbursing funds from children's accounts, the Department shall:

(1) Establish standards in accordance with State and federal laws for disbursing money from children's accounts. In all circumstances, the Department's Guardianship Administrator or the Guardianship Administrator's designee must approve disbursements from children's accounts. The Department shall be responsible for keeping complete records of all disbursements for each account for any purpose.

(2) Calculate on a monthly basis the amounts paid from State funds for the child's board and care, medical care not covered under Medicaid, and social services; and utilize funds from the child's account, as covered by regulation, to reimburse those costs. Monthly, disbursements from all children's accounts, up to 1/12 of \$13,000,000, shall be deposited by the Department into the General Revenue Fund and the balance over 1/12 of \$13,000,000 into the DCF's Children's Services Fund.

(3) Maintain any balance remaining after reimbursing for the child's costs of care, as specified in item (2). The balance shall accumulate in accordance with relevant State and federal laws and shall be disbursed to the child or the child's guardian or to the issuing agency.

(r) The Department shall promulgate regulations encouraging all adoption agencies to voluntarily forward to the Department or its agent names and addresses of all persons who have applied for and have been approved for adoption of a hard-to-place child or child with a disability and the names of such children who have not been placed for adoption. A list of such names and addresses shall be maintained by the Department or its agent, and coded lists which maintain the confidentiality of the person seeking to adopt the child and of the child shall be made available, without charge, to every adoption agency in the State to assist the agencies in placing such children for adoption. The Department may delegate to an agent its duty to maintain and make available such lists. The Department shall ensure that such agent maintains the confidentiality of the person seeking to adopt the child and of the child.

(s) The Department of Children and Family Services may establish and implement a program to reimburse caregivers licensed, certified, or otherwise approved by the Department of Children and Family Services for damages sustained by the caregivers as a result of the malicious or negligent acts of children placed by the Department, as well as providing third party coverage for such caregivers with regard to actions of children placed by the Department to other individuals. Such coverage will be secondary to the caregiver's liability insurance policy, if applicable. The program shall be funded through appropriations from the General Revenue Fund, specifically designated for such purposes.

(t) The Department shall perform home studies and investigations and shall exercise supervision over visitation as ordered by a court pursuant to the Illinois Marriage and Dissolution of Marriage Act or the Adoption Act only if:

(1) an order entered by an Illinois court specifically directs the Department to perform such services; and

(2) the court has ordered one or both of the parties to the proceeding to reimburse the Department for its reasonable costs for providing such services in accordance with Department rules, or has determined that neither party is financially able to pay.

The Department shall provide written notification to the court of the specific arrangements for supervised visitation and projected monthly costs within 60 days of the court order. The Department shall send to the court information related to the costs incurred except in cases where the court has determined the parties are financially unable to pay. The court may order additional periodic reports as appropriate.

(u) In addition to other information that must be provided, whenever the Department places a child with a prospective adoptive parent or parents, in a licensed foster home, group home, or child care institution, in a relative home, or in a certified relative caregiver home, the Department shall provide to the caregiver, appropriate facility staff, or prospective adoptive parent or parents:

(1) available detailed information concerning the child's educational and health history, copies of immunization records (including insurance and medical card information), a history of the child's previous placements, if any, and reasons for placement changes excluding any information that identifies or reveals the location of any previous caregiver or adoptive parents;

(2) a copy of the child's portion of the client service plan, including any visitation arrangement, and all amendments or revisions to it as related to the child; and

(3) information containing details of the child's individualized educational plan when the child is receiving special education services.

The caregiver, appropriate facility staff, or prospective adoptive parent or parents, shall be informed of any known social or behavioral information (including, but not limited to, criminal background, fire

setting, perpetuation of sexual abuse, destructive behavior, and substance abuse) necessary to care for and safeguard the children to be placed or currently in the home or setting. The Department may prepare a written summary of the information required by this paragraph, which may be provided to the caregiver, appropriate facility staff, or prospective adoptive parent in advance of a placement. The caregiver, appropriate facility staff, or prospective adoptive parent may review the supporting documents in the child's file in the presence of casework staff. In the case of an emergency placement, casework staff shall at least provide known information verbally, if necessary, and must subsequently provide the information in writing as required by this subsection.

The information described in this subsection shall be provided in writing. In the case of emergency placements when time does not allow prior review, preparation, and collection of written information, the Department shall provide such information as it becomes available. Within 10 business days after placement, the Department shall obtain from the caregiver, appropriate facility staff, or prospective adoptive parent or parents a signed verification of receipt of the information provided. Within 10 business days after placement, the Department shall provide to the child's guardian ad litem a copy of the information provided to the caregiver, appropriate facility staff, or prospective adoptive parent or parents. The information provided to the caregiver, appropriate facility staff, or prospective adoptive parent or parents shall be reviewed and approved regarding accuracy at the supervisory level.

(u-5) Beginning July 1, 2025, certified relative caregiver homes under Section 3.4 of the Child Care Act of 1969 shall be eligible to receive foster care maintenance payments from the Department in an amount no less than payments made to licensed foster family homes. Beginning July 1, 2025, relative homes providing care to a child placed by the Department that are not a certified relative caregiver home under Section 3.4 of the Child Care Act of 1969 or a licensed foster family home shall be eligible to receive payments from the Department in an amount no less 90% of the payments made to licensed foster family homes and certified relative caregiver homes.

(u-6) To assist relative and certified relative caregivers, no later than July 1, 2025, the Department shall adopt rules to implement a relative support program, as follows:

(1) For relative and certified relative caregivers, the Department is authorized to reimburse or prepay reasonable expenditures to remedy home conditions necessary to fulfill the home safety-related requirements of relative caregiver homes.

(2) The Department may provide short-term emergency funds to relative and certified relative caregiver homes experiencing extreme hardships due to the difficulty and stress associated with adding youth in care as new household members.

(3) Consistent with federal law, the Department shall include in any State Plan made in accordance with the Adoption Assistance and Child Welfare Act of 1980, Titles IV-E and XIX of the Social Security Act, and any other applicable federal laws the provision of kinship navigator program services. The Department shall apply for and administer all relevant federal aid in accordance with law. Federal funds acquired for the kinship navigator program shall be used for the development, implementation, and operation of kinship navigator program services. The kinship navigator program services may provide information, referral services, support, and assistance to relative and certified relative caregivers of youth in care to address their unique needs and challenges. Until the Department is approved to receive federal funds for these purposes, the Department shall publicly post on the Department's website semi-annual updates regarding the Department's progress in pursuing federal funding. Whenever the Department publicly posts these updates on its website, the Department shall notify the General Assembly through the General Assembly's designee.

(u-7) To support finding permanency for children through subsidized guardianship and adoption and to prevent disruption in guardianship and adoptive placements, the Department shall establish and maintain accessible subsidized guardianship and adoption support services for all children under 18 years of age placed in guardianship or adoption who, immediately preceding the guardianship or adoption, were in the custody or guardianship of the Department under Article II of the Juvenile Court Act of 1987.

The Department shall establish and maintain a toll-free number to respond to requests from the public about its subsidized guardianship and adoption support services under this subsection and shall staff the toll-free number so that calls are answered on a timely basis, but in no event more than one business day after the receipt of a request. These requests from the public may be made anonymously. To meet this obligation, the Department may utilize the same toll-free number the Department operates to respond to post-adoption requests under subsection (b-5) of Section 18.9 of the Adoption Act. The Department shall

publicize information about the Department's subsidized guardianship support services and toll-free number as follows:

- (1) it shall post information on the Department's website;
- (2) it shall provide the information to every licensed child welfare agency and any entity providing subsidized guardianship support services in Illinois courts;
- (3) it shall reference such information in the materials the Department provides to caregivers pursuing subsidized guardianship to inform them of their rights and responsibilities under the Child Care Act of 1969 and this Act;
- (4) it shall provide the information, including the Department's Post Adoption and Guardianship Services booklet, to eligible caregivers as part of its guardianship training and at the time they are presented with the Permanency Commitment form;
- (5) it shall include, in each annual notification letter mailed to subsidized guardians, a short, 2-sided flier or news bulletin in plain language that describes access to post-guardianship services, how to access services under the Family Support Program, formerly known as the Individual Care Grant Program, the webpage address to the Post Adoption and Guardianship Services booklet, information on how to request that a copy of the booklet be mailed; and
- (6) it shall ensure that kinship navigator programs of this State, when established, have this information to include in materials the programs provide to caregivers.

No later than July 1, 2026, the Department shall provide a mechanism for the public to make information requests by electronic means.

The Department shall review and update annually all information relating to its subsidized guardianship support services, including its Post Adoption and Guardianship Services booklet, to include updated information on Family Support Program services eligibility and subsidized guardianship support services that are available through the medical assistance program established under Article V of the Illinois Public Aid Code or any other State program for mental health services. The Department and the Department of Healthcare and Family Services shall coordinate their efforts in the development of these resources.

Every licensed child welfare agency and any entity providing kinship navigator programs funded by the Department shall provide the Department's website address and link to the Department's subsidized guardianship support services information set forth in subsection (d), including the Department's toll-free number, to every relative who is or will be providing guardianship placement for a child placed by the Department.

(v) The Department shall access criminal history record information as defined in the Illinois Uniform Conviction Information Act and information maintained in the adjudicatory and dispositional record system as defined in Section 2605-355 of the Illinois State Police Law if the Department determines the information is necessary to perform its duties under the Abused and Neglected Child Reporting Act, the Child Care Act of 1969, and the Children and Family Services Act. The Department shall provide for interactive computerized communication and processing equipment that permits direct on-line communication with the Illinois State Police's central criminal history data repository. The Department shall comply with all certification requirements and provide certified operators who have been trained by personnel from the Illinois State Police. In addition, one Office of the Inspector General investigator shall have training in the use of the criminal history information access system and have access to the terminal. The Department of Children and Family Services and its employees shall abide by rules and regulations established by the Illinois State Police relating to the access and dissemination of this information.

(v-1) Prior to final approval for placement of a child with a foster or adoptive parent, the Department shall conduct a criminal records background check of the prospective foster or adoptive parent, including fingerprint-based checks of national crime information databases. Final approval for placement shall not be granted if the record check reveals a felony conviction for child abuse or neglect, for spousal abuse, for a crime against children, or for a crime involving violence, including rape, sexual assault, or homicide, but not including other physical assault or battery, or if there is a felony conviction for physical assault, battery, or a drug-related offense committed within the past 5 years.

(v-2) Prior to final approval for placement of a child with a foster or adoptive parent, the Department shall check its child abuse and neglect registry for information concerning prospective foster and adoptive parents, and any adult living in the home. If any prospective foster or adoptive parent or other adult living in the home has resided in another state in the preceding 5 years, the Department shall request a check of that other state's child abuse and neglect registry.

(v-3) Prior to the final approval of final placement of a related child in a certified relative caregiver home as defined in Section 2.37 of the Child Care Act of 1969, the Department shall ensure that the background screening meets the standards required under subsection (c) of Section 3.4 of the Child Care Act of 1969.

(v-4) Prior to final approval for placement of a child with a relative, as defined in Section 4d of this Act, who is not a licensed foster parent, has declined to seek approval to be a certified relative caregiver, or was denied approval as a certified relative caregiver, the Department shall:

(i) check the child abuse and neglect registry for information concerning the prospective relative caregiver and any other adult living in the home. If any prospective relative caregiver or other adult living in the home has resided in another state in the preceding 5 years, the Department shall request a check of that other state's child abuse and neglect registry; and

(ii) conduct a criminal records background check of the prospective relative caregiver and all other adults living in the home, including fingerprint-based checks of national crime information databases. Final approval for placement shall not be granted if the record check reveals a felony conviction for child abuse or neglect, for spousal abuse, for a crime against children, or for a crime involving violence, including rape, sexual assault, or homicide, but not including other physical assault or battery, or if there is a felony conviction for physical assault, battery, or a drug-related offense committed within the past 5 years; provided however, that the Department is empowered to grant a waiver as the Department may provide by rule, and the Department approves the request for the waiver based on a comprehensive evaluation of the caregiver and household members and the conditions relating to the safety of the placement.

No later than July 1, 2025, the Department shall adopt rules or revise existing rules to effectuate the changes made to this subsection (v-4). The rules shall outline the essential elements of each form used in the implementation and enforcement of the provisions of this amendatory Act of the 103rd General Assembly.

(w) (Blank).

(x) The Department shall conduct annual credit history checks to determine the financial history of children placed under its guardianship pursuant to the Juvenile Court Act of 1987. The Department shall conduct such credit checks starting when a youth in care turns 12 years old and each year thereafter for the duration of the guardianship as terminated pursuant to the Juvenile Court Act of 1987. The Department shall determine if financial exploitation of the child's personal information has occurred. If financial exploitation appears to have taken place or is presently ongoing, the Department shall notify the proper law enforcement agency, the proper State's Attorney, or the Attorney General.

(y) Beginning on July 22, 2010 (the effective date of Public Act 96-1189), a child with a disability who receives residential and educational services from the Department shall be eligible to receive transition services in accordance with Article 14 of the School Code from the age of 14.5 through age 21, inclusive, notwithstanding the child's residential services arrangement. For purposes of this subsection, "child with a disability" means a child with a disability as defined by the federal Individuals with Disabilities Education Improvement Act of 2004.

(z) The Department shall access criminal history record information as defined as "background information" in this subsection and criminal history record information as defined in the Illinois Uniform Conviction Information Act for each Department employee or Department applicant. Each Department employee or Department applicant shall submit the employee's or applicant's fingerprints to the Illinois State Police in the form and manner prescribed by the Illinois State Police. These fingerprints shall be checked against the fingerprint records now and hereafter filed in the Illinois State Police and the Federal Bureau of Investigation criminal history records databases. The Illinois State Police shall charge a fee for conducting the criminal history record check, which shall be deposited into the State Police Services Fund and shall not exceed the actual cost of the record check. The Illinois State Police shall furnish, pursuant to positive identification, all Illinois conviction information to the Department of Children and Family Services.

For purposes of this subsection:

"Background information" means all of the following:

(i) Upon the request of the Department of Children and Family Services, conviction information obtained from the Illinois State Police as a result of a fingerprint-based criminal history records check of the Illinois criminal history records database and the Federal Bureau of Investigation criminal history records database concerning a Department employee or Department applicant.

(ii) Information obtained by the Department of Children and Family Services after performing a check of the Illinois State Police's Sex Offender Database, as authorized by Section 120 of the Sex Offender Community Notification Law, concerning a Department employee or Department applicant.

(iii) Information obtained by the Department of Children and Family Services after performing a check of the Child Abuse and Neglect Tracking System (CANTS) operated and maintained by the Department.

"Department employee" means a full-time or temporary employee coded or certified within the State of Illinois Personnel System.

"Department applicant" means an individual who has conditional Department full-time or part-time work, a contractor, an individual used to replace or supplement staff, an academic intern, a volunteer in Department offices or on Department contracts, a work-study student, an individual or entity licensed by the Department, or an unlicensed service provider who works as a condition of a contract or an agreement and whose work may bring the unlicensed service provider into contact with Department clients or client records.

(Source: P.A. 102-538, eff. 8-20-21; 102-558, eff. 8-20-21; 102-1014, eff. 5-27-22; 103-22, eff. 8-8-23; 103-50, eff. 1-1-24; 103-546, eff. 8-11-23; 103-605, eff. 7-1-24; 103-1061, eff. 7-1-25.)

(20 ILCS 505/35.10)

Sec. 35.10. Successful transitions to and documents necessary for adult living. ~~Documents necessary for adult living.~~

(a) The Department shall make reasonable efforts to develop an age and developmentally appropriate individualized youth-driven transition plan for each youth in care aged 15 and over to help such youth develop and strengthen those life skills that lead to successful adult living. As applicable, based on the minor's age and developmental appropriateness, the youth-driven transition plan shall address the following areas:

- (1) assessment and development of life skills;
- (2) education;
- (3) post high school goals;
- (4) driver's education;
- (5) participation in extracurricular activities;
- (6) internships;
- (7) employment;
- (8) housing;
- (9) mental and physical health and well-being;
- (10) financial stability;
- (11) connections to supportive adults and peers;
- (12) transition to adult services;
- (13) documents necessary for adult living as provided in subsection (b); and
- (14) childcare and parenting supports.

The Department shall include the youth-driven transition plan in the youth's service plan. The Department shall make reasonable efforts to assist the youth in accomplishing the plan, to develop strategies to resolve barriers, and to ensure the youth is aware of any post-case closure supports and services and how to access such supports and services.

(b) The Department shall assist a youth in care in identifying and obtaining documents necessary to function as an independent adult prior to the closure of the youth's case to terminate wardship as provided in Section 2-31 of the Juvenile Court Act of 1987. These necessary documents shall include, but not be limited to, any of the following:

- (1) State identification card or driver's license.
- (2) Social Security card.
- (3) Medical records, including, but not limited to, health passport, dental records, immunization records, name and contact information for all current medical, dental, and mental health providers, and a signed certification that the Department provided the youth with education on executing a healthcare power of attorney.
- (4) Medicaid card or other health eligibility documentation.
- (5) Certified copy of birth certificate.
- (6) Any applicable religious documents.
- (7) Voter registration card.

- (8) Immigration, citizenship, or naturalization documentation, if applicable.
- (9) Death certificates of parents, if applicable.
- (10) Life book or compilation of personal history and photographs.
- (11) List of known relatives and persons willing to provide supports to the youth with relationships, addresses, telephone numbers, and other contact information, with the permission of the involved relative or supportive person.
- (12) Resume.
- (13) Educational records, including list of schools attended, and transcript, high school diploma, or State of Illinois High School Diploma.
- (14) List of placements while in care.
- (15) List of community resources with referral information, including the Midwest Adoption Center for search and reunion services for former youth in care, whether or not they were adopted, and the Illinois Chapter of Foster Care Alumni of America.
- (16) All documents necessary to complete a Free Application for Federal Student Aid form, if applicable, or an application for State financial aid.
- (17) If applicable, a final accounting of the account maintained on behalf of the youth as provided under Section 5.46.

If a court determines that a youth in care no longer requires wardship of the court and orders the wardship terminated and all proceedings under the Juvenile Court Act of 1987 respecting the youth in care finally closed and discharged, the Department shall ensure that the youth in care receives a copy of the court's order.

(Source: P.A. 102-70, eff. 1-1-22; 102-1014, eff. 5-27-22; 102-1100, eff. 1-1-23; 103-154, eff. 6-30-23.)

Section 10. The Juvenile Court Act of 1987 is amended by changing Sections 2-28, 2-33, and 5-745 and by adding Section 2-28.2 as follows:

(705 ILCS 405/2-28)

Sec. 2-28. Court review.

(1) The court may require any legal custodian or guardian of the person appointed under this Act to report periodically to the court or may cite the legal custodian or guardian into court and require the legal custodian, guardian, or the legal custodian's or guardian's agency to make a full and accurate report of the doings of the legal custodian, guardian, or agency on behalf of the minor. The custodian or guardian, within 10 days after such citation, or earlier if the court determines it to be necessary to protect the health, safety, or welfare of the minor, shall make the report, either in writing verified by affidavit or orally under oath in open court, or otherwise as the court directs. Upon the hearing of the report the court may remove the custodian or guardian and appoint another in the custodian's or guardian's stead or restore the minor to the custody of the minor's parents or former guardian or custodian. However, custody of the minor shall not be restored to any parent, guardian, or legal custodian in any case in which the minor is found to be neglected or abused under Section 2-3 or dependent under Section 2-4 of this Act, unless the minor can be cared for at home without endangering the minor's health or safety and it is in the best interests of the minor, and if such neglect, abuse, or dependency is found by the court under paragraph (1) of Section 2-21 of this Act to have come about due to the acts or omissions or both of such parent, guardian, or legal custodian, until such time as an investigation is made as provided in paragraph (5) and a hearing is held on the issue of the fitness of such parent, guardian, or legal custodian to care for the minor and the court enters an order that such parent, guardian, or legal custodian is fit to care for the minor.

(1.5) The public agency that is the custodian or guardian of the minor shall file a written report with the court no later than 15 days after a minor in the agency's care remains:

- (1) in a shelter placement beyond 30 days;
- (2) in a psychiatric hospital past the time when the minor is clinically ready for discharge or beyond medical necessity for the minor's health; or
- (3) in a detention center or Department of Juvenile Justice facility solely because the public agency cannot find an appropriate placement for the minor.

The report shall explain the steps the agency is taking to ensure the minor is placed appropriately, how the minor's needs are being met in the minor's shelter placement, and if a future placement has been identified by the Department, why the anticipated placement is appropriate for the needs of the minor and the anticipated placement date.

(1.6) Within 30 days after placing a child in its care in a qualified residential treatment program, as defined by the federal Social Security Act, the Department of Children and Family Services shall prepare a written report for filing with the court and send copies of the report to all parties. Within 20 days of the filing of the report, or as soon thereafter as the court's schedule allows but not more than 60 days from the date of placement, the court shall hold a hearing to consider the Department's report and determine whether placement of the child in a qualified residential treatment program provides the most effective and appropriate level of care for the child in the least restrictive environment and if the placement is consistent with the short-term and long-term goals for the child, as specified in the permanency plan for the child. The court shall approve or disapprove the placement. If applicable, the requirements of Sections 2-27.1 and 2-27.2 must also be met. The Department's written report and the court's written determination shall be included in and made part of the case plan for the child. If the child remains placed in a qualified residential treatment program, the Department shall submit evidence at each status and permanency hearing:

(A) demonstrating that on-going assessment of the strengths and needs of the child continues to support the determination that the child's needs cannot be met through placement in a foster family home, that the placement provides the most effective and appropriate level of care for the child in the least restrictive, appropriate environment, and that the placement is consistent with the short-term and long-term permanency goal for the child, as specified in the permanency plan for the child;

(B) documenting the specific treatment or service needs that should be met for the child in the placement and the length of time the child is expected to need the treatment or services;

(C) detailing the efforts made by the agency to prepare the child to return home or to be placed with a fit and willing relative, a legal guardian, or an adoptive parent, or in a foster family home; ~~and~~

(D) beginning July 1, 2025, documenting the Department's efforts regarding ongoing family finding and relative engagement required under Section 2-27.3; ~~and -~~

(E) detailing efforts to ensure the minor is engaged in age and developmentally appropriate activities to develop life skills, which may include extracurricular activities, coaching by caregivers, or instruction in individual or group settings. For minors who have participated in life skills assessments, the results of such assessments and how the minor's identified needs are being addressed.

(2) The first permanency hearing shall be conducted by the judge. Subsequent permanency hearings may be heard by a judge or by hearing officers appointed or approved by the court in the manner set forth in Section 2-28.1 of this Act. The initial hearing shall be held (a) within 12 months from the date temporary custody was taken, regardless of whether an adjudication or dispositional hearing has been completed within that time frame, (b) if the parental rights of both parents have been terminated in accordance with the procedure described in subsection (5) of Section 2-21, within 30 days of the order for termination of parental rights and appointment of a guardian with power to consent to adoption, or (c) in accordance with subsection (2) of Section 2-13.1. Subsequent permanency hearings shall be held every 6 months or more frequently if necessary in the court's determination following the initial permanency hearing, in accordance with the standards set forth in this Section, until the court determines that the plan and goal have been achieved. Once the plan and goal have been achieved, if the minor remains in substitute care, the case shall be reviewed at least every 6 months thereafter, subject to the provisions of this Section, unless the minor is placed in the guardianship of a suitable relative or other person and the court determines that further monitoring by the court does not further the health, safety, or best interest of the child and that this is a stable permanent placement. The permanency hearings must occur within the time frames set forth in this subsection and may not be delayed in anticipation of a report from any source or due to the agency's failure to timely file its written report (this written report means the one required under the next paragraph and does not mean the service plan also referred to in that paragraph).

The public agency that is the custodian or guardian of the minor, or another agency responsible for the minor's care, shall ensure that all parties to the permanency hearings are provided a copy of the most recent service plan prepared within the prior 6 months at least 14 days in advance of the hearing. If not contained in the agency's service plan, the agency shall also include a report setting forth the following:

(A) any special physical, psychological, educational, medical, emotional, or other needs of the minor or the minor's family that are relevant to a permanency or placement determination, and for any minor age 16 or over, a written description of the programs and services that will enable the minor to prepare for independent living;

(B) beginning July 1, 2025, a written description of ongoing family finding and relative engagement efforts in accordance with the requirements under Section 2-27.3 the agency has

undertaken since the most recent report to the court to plan for the emotional and legal permanency of the minor;

(C) whether a minor is placed in a licensed child care facility under a corrective plan by the Department due to concerns impacting the minor's safety and well-being. The report shall explain the steps the Department is taking to ensure the safety and well-being of the minor and that the minor's needs are met in the facility;

(D) detail regarding what progress or lack of progress the parent has made in correcting the conditions requiring the child to be in care; whether the child can be returned home without jeopardizing the child's health, safety, and welfare, what permanency goal is recommended to be in the best interests of the child, and the reasons for the recommendation. If a permanency goal under paragraph (A), (B), or (B-1) of subsection (2.3) have been deemed inappropriate and not in the minor's best interest, the report must include the following information:

(i) confirmation that the caseworker has discussed the permanency options and subsidies available for guardianship and adoption with the minor's caregivers, the minor's parents, as appropriate, and has discussed the available permanency options with the minor in an age-appropriate manner;

(ii) confirmation that the caseworker has discussed with the minor's caregivers, the minor's parents, as appropriate, and the minor as age-appropriate, the distinctions between guardianship and adoption, including, but not limited to, that guardianship does not require termination of the parent's rights or the consent of the parent;

(iii) a description of the stated preferences and concerns, if any, the minor, the parent as appropriate, and the caregiver expressed relating to the options of guardianship and adoption, and the reasons for the preferences;

(iv) if the minor is not currently in a placement that will provide permanency, identification of all persons presently willing and able to provide permanency to the minor through either guardianship or adoption, and beginning July 1, 2025, if none are available, a description of the efforts made in accordance with Section 2-27.3; and

(v) state the recommended permanency goal, why that goal is recommended, and why the other potential goals were not recommended.

The caseworker must appear and testify at the permanency hearing. If a permanency hearing has not previously been scheduled by the court, the moving party shall move for the setting of a permanency hearing and the entry of an order within the time frames set forth in this subsection.

(2.3) At the permanency hearing, the court shall determine the permanency goal of the child. The court shall set one of the following permanency goals:

(A) The minor will be returned home by a specific date within 5 months.

(B) The minor will be in short-term care with a continued goal to return home within a period not to exceed one year, where the progress of the parent or parents is substantial giving particular consideration to the age and individual needs of the minor.

(B-1) The minor will be in short-term care with a continued goal to return home pending a status hearing. When the court finds that a parent has not made reasonable efforts or reasonable progress to date, the court shall identify what actions the parent and the Department must take in order to justify a finding of reasonable efforts or reasonable progress and shall set a status hearing to be held not earlier than 9 months from the date of adjudication nor later than 11 months from the date of adjudication during which the parent's progress will again be reviewed.

If the court has determined that goals (A), (B), and (B-1) are not appropriate and not in the minor's best interest, the court may select one of the following goals: (C), (D), (E), (F), or (G) for the minor as appropriate and based on the best interests of the minor. The court shall determine the appropriate goal for the minor based on best interest factors and any considerations outlined in that goal.

(C) The guardianship of the minor shall be transferred to an individual or couple on a permanent basis. Prior to changing the goal to guardianship, the court shall consider the following:

(i) whether the agency has discussed adoption and guardianship with the caregiver and what preference, if any, the caregiver has as to the permanency goal;

(ii) whether the agency has discussed adoption and guardianship with the minor, as age-appropriate, and what preference, if any, the minor has as to the permanency goal;

(iii) whether the minor is of sufficient age to remember the minor's parents and if the child values this familial identity;

(iv) whether the minor is placed with a relative, and beginning July 1, 2025, whether the minor is placed in a relative home as defined in Section 4d of the Children and Family Services Act or in a certified relative caregiver home as defined in Section 2.36 of the Child Care Act of 1969; and

(v) whether the parent or parents have been informed about guardianship and adoption, and, if appropriate, what preferences, if any, the parent or parents have as to the permanency goal.

(D) The minor will be in substitute care pending court determination on termination of parental rights. Prior to changing the goal to substitute care pending court determination on termination of parental rights, the court shall consider the following:

(i) whether the agency has discussed adoption and guardianship with the caregiver and what preference, if any, the caregiver has as to the permanency goal;

(ii) whether the agency has discussed adoption and guardianship with the minor, as age-appropriate, and what preference, if any, the minor has as to the permanency goal;

(iii) whether the minor is of sufficient age to remember the minor's parents and if the child values this familial identity;

(iv) whether the minor is placed with a relative, and beginning July 1, 2025, whether the minor is placed in a relative home as defined in Section 4d of the Children and Family Services Act, in a certified relative caregiver home as defined in Section 2.36 of the Child Care Act of 1969;

(v) whether the minor is already placed in a pre-adoptive home, and if not, whether such a home has been identified; and

(vi) whether the parent or parents have been informed about guardianship and adoption, and, if appropriate, what preferences, if any, the parent or parents have as to the permanency goal.

(E) Adoption, provided that parental rights have been terminated or relinquished.

(F) Provided that permanency goals (A) through (E) have been deemed inappropriate and not in the minor's best interests, the minor over age 15 will be in substitute care pending independence. In selecting this permanency goal, the Department of Children and Family Services may provide services to enable reunification and to strengthen the minor's connections with family, fictive kin, and other responsible adults, provided the services are in the minor's best interest. The services shall be documented in the service plan.

(G) The minor will be in substitute care because the minor cannot be provided for in a home environment due to developmental disabilities or mental illness or because the minor is a danger to self or others, provided that goals (A) through (E) have been deemed inappropriate and not in the child's best interests.

In selecting any permanency goal, the court shall indicate in writing the reasons the goal was selected and why the preceding goals were deemed inappropriate and not in the child's best interest. Where the court has selected a permanency goal other than (A), (B), or (B-1), the Department of Children and Family Services shall not provide further reunification services, except as provided in paragraph (F) of this subsection (2.3), but shall provide services consistent with the goal selected.

(H) Notwithstanding any other provision in this Section, the court may select the goal of continuing foster care as a permanency goal if:

(1) The Department of Children and Family Services has custody and guardianship of the minor;

(2) The court has deemed all other permanency goals inappropriate based on the child's best interest;

(3) The court has found compelling reasons, based on written documentation reviewed by the court, to place the minor in continuing foster care. Compelling reasons include:

(a) the child does not wish to be adopted or to be placed in the guardianship of the minor's relative, certified relative caregiver, or foster care placement;

(b) the child exhibits an extreme level of need such that the removal of the child from the minor's placement would be detrimental to the child; or

(c) the child who is the subject of the permanency hearing has existing close and strong bonds with a sibling, and achievement of another permanency goal would substantially interfere with the subject child's sibling relationship, taking into consideration the nature and extent of the relationship, and whether ongoing contact is in the subject child's best interest, including long-term emotional interest, as compared with the legal and emotional benefit of permanence;

(4) The child has lived with the relative, certified relative caregiver, or foster parent for at least one year; and

(5) The relative, certified relative caregiver, or foster parent currently caring for the child is willing and capable of providing the child with a stable and permanent environment.

(2.4) The court shall set a permanency goal that is in the best interest of the child. In determining that goal, the court shall consult with the minor in an age-appropriate manner regarding the proposed permanency or transition plan for the minor. The court's determination shall include the following factors:

(A) Age of the child.

(B) Options available for permanence, including both out-of-state and in-state placement options.

(C) Current placement of the child and the intent of the family regarding subsidized guardianship and adoption.

(D) Emotional, physical, and mental status or condition of the child.

(E) Types of services previously offered and whether or not the services were successful and, if not successful, the reasons the services failed.

(F) Availability of services currently needed and whether the services exist.

(G) Status of siblings of the minor.

(H) If the minor is not currently in a placement likely to achieve permanence, whether there is an identified and willing potential permanent caregiver for the minor, and if so, that potential permanent caregiver's intent regarding guardianship and adoption.

The court shall consider (i) the permanency goal contained in the service plan, (ii) the appropriateness of the services contained in the plan and whether those services have been provided, (iii) whether reasonable efforts have been made by all the parties to the service plan to achieve the goal, and (iv) whether the plan and goal have been achieved. All evidence relevant to determining these questions, including oral and written reports, may be admitted and may be relied on to the extent of their probative value.

The court shall make findings as to whether, in violation of Section 8.2 of the Abused and Neglected Child Reporting Act, any portion of the service plan compels a child or parent to engage in any activity or refrain from any activity that is not reasonably related to remedying a condition or conditions that gave rise or which could give rise to any finding of child abuse or neglect. The services contained in the service plan shall include services reasonably related to remedy the conditions that gave rise to removal of the child from the home of the child's parents, guardian, or legal custodian or that the court has found must be remedied prior to returning the child home. Any tasks the court requires of the parents, guardian, or legal custodian or child prior to returning the child home must be reasonably related to remedying a condition or conditions that gave rise to or which could give rise to any finding of child abuse or neglect.

If the permanency goal is to return home, the court shall make findings that identify any problems that are causing continued placement of the children away from the home and identify what outcomes would be considered a resolution to these problems. The court shall explain to the parents that these findings are based on the information that the court has at that time and may be revised, should additional evidence be presented to the court.

The court shall review the Sibling Contact Support Plan developed or modified under subsection (f) of Section 7.4 of the Children and Family Services Act, if applicable. If the Department has not convened a meeting to develop or modify a Sibling Contact Support Plan, or if the court finds that the existing Plan is not in the child's best interest, the court may enter an order requiring the Department to develop, modify, or implement a Sibling Contact Support Plan, or order mediation.

The court shall review the Department's efforts to provide the minor with age and developmentally appropriate life skills. If the court finds the Department's efforts are not in the minor's best interest, the court may enter an order requiring the Department to develop, modify, or implement the service plan to develop the minor's life skills in an age and developmentally appropriate manner.

Beginning July 1, 2025, the court shall review the Ongoing Family Finding and Relative Engagement Plan required under Section 2-27.3. If the court finds that the plan is not in the minor's best interest, the

court shall enter specific factual findings and order the Department to modify the plan consistent with the court's findings.

If the goal has been achieved, the court shall enter orders that are necessary to conform the minor's legal custody and status to those findings.

If, after receiving evidence, the court determines that the services contained in the plan are not reasonably calculated to facilitate achievement of the permanency goal, the court shall put in writing the factual basis supporting the determination and enter specific findings based on the evidence. The court also shall enter an order for the Department to develop and implement a new service plan or to implement changes to the current service plan consistent with the court's findings. The new service plan shall be filed with the court and served on all parties within 45 days of the date of the order. The court shall continue the matter until the new service plan is filed. Except as authorized by subsection (2.5) of this Section and as otherwise specifically authorized by law, the court is not empowered under this Section to order specific placements, specific services, or specific service providers to be included in the service plan.

A guardian or custodian appointed by the court pursuant to this Act shall file updated case plans with the court every 6 months.

Rights of wards of the court under this Act are enforceable against any public agency by complaints for relief by mandamus filed in any proceedings brought under this Act.

(2.5) If, after reviewing the evidence, including evidence from the Department, the court determines that the minor's current or planned placement is not necessary or appropriate to facilitate achievement of the permanency goal, the court shall put in writing the factual basis supporting its determination and enter specific findings based on the evidence. If the court finds that the minor's current or planned placement is not necessary or appropriate, the court may enter an order directing the Department to implement a recommendation by the minor's treating clinician or a clinician contracted by the Department to evaluate the minor or a recommendation made by the Department. If the Department places a minor in a placement under an order entered under this subsection (2.5), the Department has the authority to remove the minor from that placement when a change in circumstances necessitates the removal to protect the minor's health, safety, and best interest. If the Department determines removal is necessary, the Department shall notify the parties of the planned placement change in writing no later than 10 days prior to the implementation of its determination unless remaining in the placement poses an imminent risk of harm to the minor, in which case the Department shall notify the parties of the placement change in writing immediately following the implementation of its decision. The Department shall notify others of the decision to change the minor's placement as required by Department rule.

(3) Following the permanency hearing, the court shall enter a written order that includes the determinations required under subsections (2) and (2.3) of this Section and sets forth the following:

(a) The future status of the minor, including the permanency goal, and any order necessary to conform the minor's legal custody and status to such determination; or

(b) If the permanency goal of the minor cannot be achieved immediately, the specific reasons for continuing the minor in the care of the Department of Children and Family Services or other agency for short-term placement, and the following determinations:

(i) (Blank).

(ii) Whether the services required by the court and by any service plan prepared within the prior 6 months have been provided and (A) if so, whether the services were reasonably calculated to facilitate the achievement of the permanency goal or (B) if not provided, why the services were not provided.

(iii) Whether the minor's current or planned placement is necessary, and appropriate to the plan and goal, recognizing the right of minors to the least restrictive (most family-like) setting available and in close proximity to the parents' home consistent with the health, safety, best interest, and special needs of the minor and, if the minor is placed out-of-state, whether the out-of-state placement continues to be appropriate and consistent with the health, safety, and best interest of the minor.

(iv) (Blank).

(v) (Blank).

If the court sets a permanency goal of independence or if the minor is 17 years of age or older, the court shall schedule a Successful Transition to Adulthood Review hearing in accordance with Section 2-28.2.

(4) The minor or any person interested in the minor may apply to the court for a change in custody of the minor and the appointment of a new custodian or guardian of the person or for the restoration of the minor to the custody of the minor's parents or former guardian or custodian.

When return home is not selected as the permanency goal:

(a) The Department, the minor, or the current foster parent or relative caregiver seeking private guardianship may file a motion for private guardianship of the minor. Appointment of a guardian under this Section requires approval of the court.

(b) The State's Attorney may file a motion to terminate parental rights of any parent who has failed to make reasonable efforts to correct the conditions which led to the removal of the child or reasonable progress toward the return of the child, as defined in subdivision (D)(m) of Section 1 of the Adoption Act or for whom any other unfitness ground for terminating parental rights as defined in subdivision (D) of Section 1 of the Adoption Act exists.

When parental rights have been terminated for a minimum of 3 years and the child who is the subject of the permanency hearing is 13 years old or older and is not currently placed in a placement likely to achieve permanency, the Department of Children and Family Services shall make reasonable efforts to locate parents whose rights have been terminated, except when the Court determines that those efforts would be futile or inconsistent with the subject child's best interests. The Department of Children and Family Services shall assess the appropriateness of the parent whose rights have been terminated, and shall, as appropriate, foster and support connections between the parent whose rights have been terminated and the youth. The Department of Children and Family Services shall document its determinations and efforts to foster connections in the child's case plan.

Custody of the minor shall not be restored to any parent, guardian, or legal custodian in any case in which the minor is found to be neglected or abused under Section 2-3 or dependent under Section 2-4 of this Act, unless the minor can be cared for at home without endangering the minor's health or safety and it is in the best interest of the minor, and if such neglect, abuse, or dependency is found by the court under paragraph (1) of Section 2-21 of this Act to have come about due to the acts or omissions or both of such parent, guardian, or legal custodian, until such time as an investigation is made as provided in paragraph (5) and a hearing is held on the issue of the health, safety, and best interest of the minor and the fitness of such parent, guardian, or legal custodian to care for the minor and the court enters an order that such parent, guardian, or legal custodian is fit to care for the minor. If a motion is filed to modify or vacate a private guardianship order and return the child to a parent, guardian, or legal custodian, the court may order the Department of Children and Family Services to assess the minor's current and proposed living arrangements and to provide ongoing monitoring of the health, safety, and best interest of the minor during the pendency of the motion to assist the court in making that determination. In the event that the minor has attained 18 years of age and the guardian or custodian petitions the court for an order terminating the minor's guardianship or custody, guardianship or custody shall terminate automatically 30 days after the receipt of the petition unless the court orders otherwise. No legal custodian or guardian of the person may be removed without the legal custodian's or guardian's consent until given notice and an opportunity to be heard by the court.

When the court orders a child restored to the custody of the parent or parents, the court shall order the parent or parents to cooperate with the Department of Children and Family Services and comply with the terms of an after-care plan, or risk the loss of custody of the child and possible termination of their parental rights. The court may also enter an order of protective supervision in accordance with Section 2-24.

If the minor is being restored to the custody of a parent, legal custodian, or guardian who lives outside of Illinois, and an Interstate Compact has been requested and refused, the court may order the Department of Children and Family Services to arrange for an assessment of the minor's proposed living arrangement and for ongoing monitoring of the health, safety, and best interest of the minor and compliance with any order of protective supervision entered in accordance with Section 2-24.

(5) Whenever a parent, guardian, or legal custodian files a motion for restoration of custody of the minor, and the minor was adjudicated neglected, abused, or dependent as a result of physical abuse, the court shall cause to be made an investigation as to whether the movant has ever been charged with or convicted of any criminal offense which would indicate the likelihood of any further physical abuse to the minor. Evidence of such criminal convictions shall be taken into account in determining whether the minor can be cared for at home without endangering the minor's health or safety and fitness of the parent, guardian, or legal custodian.

(a) Any agency of this State or any subdivision thereof shall cooperate with the agent of the court in providing any information sought in the investigation.

(b) The information derived from the investigation and any conclusions or recommendations derived from the information shall be provided to the parent, guardian, or legal custodian seeking restoration of custody prior to the hearing on fitness and the movant shall have an opportunity at the hearing to refute the information or contest its significance.

(c) All information obtained from any investigation shall be confidential as provided in Section 5-150 of this Act.

(Source: P.A. 102-193, eff. 7-30-21; 102-489, eff. 8-20-21; 102-813, eff. 5-13-22; 103-22, eff. 8-8-23; 103-154, eff. 6-30-23; 103-171, eff. 1-1-24; 103-605, eff. 7-1-24; 103-1061, eff. 2-5-25.)

(705 ILCS 405/2-28.2 new)

Sec. 2-28.2. Successful Transition to Adulthood Review hearings.

(a) The court shall conduct Successful Transition to Adulthood Review (STAR) hearings to review the Department's efforts to ensure the minor is provided with opportunities to engage in individualized future-focused planning towards adulthood, to develop age-appropriate daily living skills to live successfully as an adult, and if applicable, to be prepared to transition out of the care of the Department at age 21.

(b) The court shall conduct a STAR hearing for all minors for whom the court has entered a permanency goal of independence and for all minors who are 17 years of age or older. The minor's first STAR hearing shall be conducted within 6 months of the minor qualifying for a STAR hearing. Subsequent STAR hearings may be conducted contemporaneously with the minor's permanency hearing. At a minimum, the court shall conduct STAR hearings for eligible minors within 6 months of the minor becoming eligible for a STAR hearing and annually thereafter. The court may schedule additional STAR hearings as necessary and in the minor's best interest.

(c) Fourteen days in advance of the STAR hearing the Department shall provide the court with the youth's service plan that includes the following information:

(1) a copy of the youth-driven transition plan developed in accordance with Section 35.10 of the Children and Family Services Act;

(2) for youth 17 years of age and older, the ILO TLP Quarterly Discharge Launch Plan, if applicable;

(3) a description of the documents necessary for adult living as provided in Section 35.10 of the Children and Family Services Act that the minor has, the documents the minor continues to need, and the Department's plan to ensure the minor has such documents prior to case closure;

(4) a description of the Department's efforts to assist the youth in developing and maintaining connections with supportive adults and a copy of the minor's Ongoing Family Finding and Relative Engagement Plan developed in accordance with Section 2-27.3; and

(5) for youth who are likely to need a guardian as a person with a disability, in accordance with Article XIa of the Probate Act of 1975, a description of the Department's efforts to obtain any necessary assessments.

(d) At the STAR hearing the court shall:

(1) review the Department's efforts to assist the minor in developing and implementing an individualized youth-driven plan to develop life skills that will lead to successful adult living;

(2) review the plan developed by the Department and the minor to ensure that it is reasonably likely to ensure the minor can live independent of supports from the Department;

(3) review the Department's efforts to assist the minor in accomplishing the plan;

(4) review the Department's efforts to ensure the minor has documents necessary for adult living, as defined in Section 35.10 of the Children and Family Services Act prior to case closure;

(5) review the Department's efforts to ensure that the minor is aware of available supports and services post-case closure and how to access such supports and services; and

(6) if applicable, review the Department's efforts to obtain any needed assessments to determine whether the youth may qualify for a guardian as a person with a disability under Article XIa of the Probate Act of 1975.

If the court finds that the youth-driven transition plan for the minor is not in the minor's best interest or will not be reasonably likely to result in the development of life skills necessary for adult living, the court shall make specific factual findings supporting its findings and order the Department to develop a new plan with the minor consistent with the court's findings. If the court finds that the Department has failed to make

reasonable efforts to (i) assist the minor in developing and accomplishing a youth-driven transition plan or (ii) obtain any necessary assessments for minors to determine whether the youth may qualify for a guardian as a person with a disability under Article XIa of the Probate Act of 1975, then the court shall make specific factual findings and may enter such orders it deems necessary to ensure that the minor is developing necessary life skills and, when appropriate, is prepared to successfully transition to adulthood.

(705 ILCS 405/2-33)

Sec. 2-33. Supplemental petition to reinstate wardship.

(1) Any time prior to a minor's 18th birthday, pursuant to a supplemental petition filed under this Section, the court may reinstate wardship and open a previously closed case when:

(a) wardship and guardianship under the Juvenile Court Act of 1987 was vacated in conjunction with the appointment of a private guardian under the Probate Act of 1975;

(b) the minor is not presently a ward of the court under Article II of this Act nor is there a petition for adjudication of wardship pending on behalf of the minor; and

(c) it is in the minor's best interest that wardship be reinstated.

(2) Any time prior to a minor's 21st birthday, pursuant to a supplemental petition filed under this Section, the court may reinstate wardship and open a previously closed case when:

(a) wardship and guardianship under this Act was vacated pursuant to:

(i) an order entered under subsection (2) of Section 2-31 in the case of a minor over the age of 18;

(ii) closure of a case under subsection (2) of Section 2-31 in the case of a minor under the age of 18 who has been partially or completely emancipated in accordance with the Emancipation of Minors Act; or

(iii) an order entered under subsection (3) of Section 2-31 based on the minor's attaining the age of 19 years before the effective date of this amendatory Act of the 101st General Assembly;

(b) the minor is not presently a ward of the court under Article II of this Act nor is there a petition for adjudication of wardship pending on behalf of the minor; and

(c) it is in the minor's best interest that wardship be reinstated.

(3) The supplemental petition must be filed in the same proceeding in which the original adjudication order was entered. Unless excused by court for good cause shown, the petitioner shall give notice of the time and place of the hearing on the supplemental petition, in person or by mail, to the minor, if the minor is 14 years of age or older, and to the parties to the juvenile court proceeding. Notice shall be provided at least 3 court days in advance of the hearing date.

(3.5) Whenever a petition is filed to reinstate wardship pursuant to subsection (1), prior to granting the petition, the court may order the Department of Children and Family Services to assess the minor's current and proposed living arrangements and to provide ongoing monitoring of the health, safety, and best interest of the minor during the pendency of the petition to assist the court in making that determination.

(4) A minor who is the subject of a petition to reinstate wardship under this Section shall be provided with representation in accordance with Sections 1-5 and 2-17 of this Act.

(5) Whenever a minor is committed to the Department of Children and Family Services for care and services following the reinstatement of wardship under this Section, the Department shall:

(a) Within 30 days of such commitment, prepare and file with the court a case plan which complies with the federal Adoption Assistance and Child Welfare Act of 1980 and is consistent with the health, safety and best interests of the minor; and

(b) Promptly refer the minor for such services as are necessary and consistent with the minor's health, safety and best interests.

(6) Whenever the court grants a petition to reinstate wardship under this Section, the court shall schedule the case for a permanency hearing in accordance with Section 2-28 and a Successful Transition to Adulthood Review hearing in accordance with Section 2-28.2, if applicable.

(Source: P.A. 101-78, eff. 7-12-19; 102-489, eff. 8-20-21.)

(705 ILCS 405/5-745)

Sec. 5-745. Court review.

(1) The court may require any legal custodian or guardian of the person appointed under this Act, including the Department of Juvenile Justice for youth committed under Section 5-750 of this Act, to report periodically to the court or may cite the legal custodian or guardian into court and require the legal custodian or guardian, or the legal custodian's or guardian's agency, to make a full and accurate report of the doings of

the legal custodian, guardian, or agency on behalf of the minor, including efforts to secure post-release placement of the youth after release from the Department's facilities. The legal custodian or guardian, within 10 days after the citation, shall make the report, either in writing verified by affidavit or orally under oath in open court, or otherwise as the court directs. Upon the hearing of the report the court may remove the legal custodian or guardian and appoint another in the legal custodian's or guardian's stead or restore the minor to the custody of the minor's parents or former guardian or legal custodian.

(2) If the Department of Children and Family Services is appointed legal custodian or guardian of a minor under Section 5-740 of this Act, the Department of Children and Family Services shall file updated case plans with the court every 6 months. Every agency which has guardianship of a child shall file a supplemental petition for court review, or review by an administrative body appointed or approved by the court and further order within 18 months of the sentencing order and each 18 months thereafter. The petition shall state facts relative to the child's present condition of physical, mental and emotional health as well as facts relative to the minor's present custodial or foster care. The petition shall be set for hearing and the clerk shall mail 10 days notice of the hearing by certified mail, return receipt requested, to the person or agency having the physical custody of the child, the minor and other interested parties unless a written waiver of notice is filed with the petition.

If the minor is in the custody of the Illinois Department of Children and Family Services, pursuant to an order entered under this Article, the court shall conduct permanency hearings as set out in subsections (1), (2), (2.3), (2.4), and (3) of Section 2-28 of Article II of this Act and Successful Transition to Adulthood Review hearings as set out in Section 2-28.2 of Article II of this Act.

Rights of wards of the court under this Act are enforceable against any public agency by complaints for relief by mandamus filed in any proceedings brought under this Act.

(3) The minor or any person interested in the minor may apply to the court for a change in custody of the minor and the appointment of a new custodian or guardian of the person or for the restoration of the minor to the custody of the minor's parents or former guardian or custodian. In the event that the minor has attained 18 years of age and the guardian or custodian petitions the court for an order terminating the minor's guardianship or custody, guardianship or legal custody shall terminate automatically 30 days after the receipt of the petition unless the court orders otherwise. No legal custodian or guardian of the person may be removed without the legal custodian's or guardian's consent until given notice and an opportunity to be heard by the court.

(4) If the minor is committed to the Department of Juvenile Justice under Section 5-750 of this Act, the Department shall notify the court in writing of the occurrence of any of the following:

(a) a critical incident involving a youth committed to the Department; as used in this paragraph (a), "critical incident" means any incident that involves a serious risk to the life, health, or well-being of the youth and includes, but is not limited to, an accident or suicide attempt resulting in serious bodily harm or hospitalization, psychiatric hospitalization, alleged or suspected abuse, or escape or attempted escape from custody, filed within 10 days of the occurrence;

(b) a youth who has been released by the Prisoner Review Board but remains in a Department facility solely because the youth does not have an approved aftercare release host site, filed within 10 days of the occurrence;

(c) a youth, except a youth who has been adjudicated a habitual or violent juvenile offender under Section 5-815 or 5-820 of this Act or committed for first degree murder, who has been held in a Department facility for over one consecutive year; or

(d) if a report has been filed under paragraph (c) of this subsection, a supplemental report shall be filed every 6 months thereafter.

The notification required by this subsection (4) shall contain a brief description of the incident or situation and a summary of the youth's current physical, mental, and emotional health and the actions the Department took in response to the incident or to identify an aftercare release host site, as applicable. Upon receipt of the notification, the court may require the Department to make a full report under subsection (1) of this Section.

(5) With respect to any report required to be filed with the court under this Section, the Independent Juvenile Ombudsperson shall provide a copy to the minor's court appointed guardian ad litem, if the Department has received written notice of the appointment, and to the minor's attorney, if the Department has received written notice of representation from the attorney. If the Department has a record that a guardian has been appointed for the minor and a record of the last known address of the minor's court appointed guardian, the Independent Juvenile Ombudsperson shall send a notice to the guardian that the report is available and will be provided by the Independent Juvenile Ombudsperson upon request. If the

Department has no record regarding the appointment of a guardian for the minor, and the Department's records include the last known addresses of the minor's parents, the Independent Juvenile Ombudsperson shall send a notice to the parents that the report is available and will be provided by the Independent Juvenile Ombudsperson upon request.
(Source: P.A. 103-22, eff. 8-8-23; 103-1061, eff. 2-5-25.)

Section 95. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act.

Section 99. Effective date. This Act takes effect July 1, 2026."

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Collins, **Senate Bill No. 1563** having been printed, was taken up, read by title a second time and ordered to a third reading.

At the hour of 1:20 o'clock p.m., the Chair announced that the Senate stands adjourned until Thursday, March 20, 2025, at 11:00 o'clock a.m.

**PERFUNCTORY SESSION
5:34 O'CLOCK P.M.**

The Senate met in perfunctory session pursuant to the directive of the President.
Pursuant to Senate Rule 2-5(c)2, the Secretary of the Senate conducted the perfunctory session.

**MESSAGES FROM THE PRESIDENT
OFFICE OF THE SENATE PRESIDENT
DON HARMON
STATE OF ILLINOIS**

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706
217-782-2728

160 N. LASALLE ST., STE. 720
CHICAGO, ILLINOIS 60601
312-814-2075

March 19, 2025

Mr. Tim Anderson
Secretary of the Senate
Room 058, State House
Springfield, Illinois 62706

Dear Mr. Secretary:

Pursuant to Senate Rule 2-10, I am scheduling a Perfunctory Session to convene on March 19, 2025.

s/Don Harmon
Don Harmon

[March 19, 2025]

Senate President

cc: Senate Republican Leader John F. Curran

**OFFICE OF THE SENATE PRESIDENT
DON HARMON
STATE OF ILLINOIS**

327 STATE CAPITOL
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160 N. LASALLE ST., STE. 720
CHICAGO, ILLINOIS 60601
312-814-2075

March 19, 2025

Mr. Tim Anderson
Secretary of the Senate
Room 058 State House
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to Rule 2-10, I am cancelling Session scheduled for Friday, March 21, 2025.

Sincerely,
s/Don Harmon
Don Harmon
Senate President

cc: Senate Republican Leader John F. Curran

INTRODUCTION OF BILL

SENATE BILL NO. 2639. Introduced by Senator Villivalam, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

REPORTS FROM STANDING COMMITTEES

Senator Joyce, Chair of the Committee on State Government, to which was referred **Senate Bills Numbered 2002, 2280, 2394, 2408 and 2481**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Joyce, Chair of the Committee on State Government, to which was referred **Senate Bills Numbered 106, 1548, 1884, 2108 and 2506**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.

Senator Joyce, Chair of the Committee on State Government, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 2 to Senate Bill 58
Senate Amendment No. 1 to Senate Bill 246
Senate Amendment No. 1 to Senate Bill 1441

[March 19, 2025]

Under the rules, the foregoing floor amendments are eligible for consideration on second reading.

Senator Glowiak Hilton, Chair of the Committee on Licensed Activities, to which was referred **Senate Bills Numbered 2434, 2493, 2494 and 2495**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Glowiak Hilton, Chair of the Committee on Licensed Activities, to which was referred **Senate Bills Numbered 1325, 1463, 2154, 2431, 2492, 2496 and 2503**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.

Senator Castro, Chair of the Committee on Executive, to which was referred **Senate Bills Numbered 118, 243, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116,**

1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 2012, 2264, 2306 and 2325, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Castro, Chair of the Committee on Executive, to which was referred **Senate Bills Numbered 213, 1537 and 2322**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.

Senator Johnson, Chair of the Committee on Local Government, to which was referred **Senate Bill No. 2326**, reported the same back with the recommendation that the bill do pass.

Under the rules, the bill was ordered to a second reading.

Senator Johnson, Chair of the Committee on Local Government, to which was referred **Senate Bills Numbered 224 and 1742**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.

Senator Hastings, Chair of the Committee on Judiciary, to which was referred **Senate Bills Numbered 1173, 1261, 1466, 1909, 1932, 1939, 1955, 2013, 2253, 2401, 2463 and 2487**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Hastings, Chair of the Committee on Judiciary, to which was referred **Senate Bills Numbered 104, 1181, 1411, 1486, 1551, 1777 and 2351**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.

LEGISLATIVE MEASURES FILED

The following Floor amendments to the Senate Bills listed below have been filed with the Secretary and referred to the Committee on Assignments:

Amendment No. 1 to Senate Bill 1814

Amendment No. 1 to Senate Bill 1958

The following Committee amendments to the Senate Bills listed below have been filed with the Secretary and referred to the Committee on Assignments:

Amendment No. 1 to Senate Bill 1560

Amendment No. 1 to Senate Bill 2414

At the hour of 5:34 o'clock p.m., the Chair announced that the Senate stands adjourned until Thursday, March 20, 2025, or until the call of the President.