



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB3471

Introduced 2/17/2023, by Rep. Tom Weber

SYNOPSIS AS INTRODUCED:

325 ILCS 5/7.3

from Ch. 23, par. 2057.3

Amends the Abused and Neglected Child Reporting Act. In a provision requiring the Department of Children and Family Services to allow law enforcement personnel to concurrently investigate with the Department reports of suspected child abuse or neglect, provides that the Department's completed investigative report shall be shared with the office of the State's Attorney of the involved county, if requested, to the extent such disclosure is permitted by current law and regulation, and subject to any and all existing and applicable requirements to maintain the information shared as confidential. Provides that nothing prohibits the office of the State's Attorney of the involved county from concurrently conducting an additional, independent investigation of the same incidents and allegations investigated by the Department. Provides that at the commencement of the State's Attorney's independent investigation, the State's Attorney, in his or her official capacity as a mandated reporter, shall notify the Department of the independent investigation by making a report by telephone to the Department's central register on the single, State-wide, toll-free telephone number established under the Act. Provides that upon completion of the independent investigation, the State's Attorney shall share his or her findings and determinations with the Department.

LRB103 29952 KTG 56367 b

1 AN ACT concerning children.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Reference to Act. This Act may be referred to as
5 the AJ Freund Act.

6 Section 5. The Abused and Neglected Child Reporting Act is
7 amended by changing Section 7.3 as follows:

8 (325 ILCS 5/7.3) (from Ch. 23, par. 2057.3)

9 Sec. 7.3. (a) The Department shall be the sole agency
10 responsible for receiving and investigating reports of child
11 abuse or neglect made under this Act, including reports of
12 adult resident abuse or neglect as defined in this Act, except
13 where investigations by other agencies may be required with
14 respect to reports alleging the abuse or neglect of a child by
15 a person who is not the child's parent, a member of the child's
16 immediate family, a person responsible for the child's
17 welfare, an individual residing in the same home as the child,
18 or a paramour of the child's parent, the death of a child,
19 serious injury to a child or sexual abuse to a child made
20 pursuant to Sections 4.1 or 7 of this Act, and except that the
21 Department may delegate the performance of the investigation
22 to the Illinois State Police, a law enforcement agency and to

1 those private social service agencies which have been
2 designated for this purpose by the Department prior to July 1,
3 1980.

4 (b) Notwithstanding any other provision of this Act, the
5 Department shall adopt rules expressly allowing law
6 enforcement personnel to investigate reports of suspected
7 child abuse or neglect concurrently with the Department,
8 without regard to whether the Department determines a report
9 to be "indicated" or "unfounded" or deems a report to be
10 "undetermined". Upon any determination, the complete
11 investigative report shall be shared with the office of the
12 State's Attorney of the involved county, if requested, to the
13 extent such disclosure is permitted by current law and
14 regulation, and subject to any and all existing and applicable
15 requirements to maintain the information shared as
16 confidential. Nothing shall prohibit the office of the State's
17 Attorney of the involved county from concurrently conducting
18 an additional, independent investigation of the same incidents
19 and allegations investigated by the Department. At the
20 commencement of the State's Attorney's independent
21 investigation, the State's Attorney, in his or her official
22 capacity as a mandated reporter, shall notify the Department
23 of the independent investigation by making a report by
24 telephone to the central register established under Section
25 7.7 on the single, State-wide, toll-free telephone number
26 established in Section 7.6. Upon completion of the independent

1 investigation, the State's Attorney shall share his or her
2 findings and determinations with the Department.

3 (c) By June 1, 2016, the Department shall adopt rules that
4 address and set forth criteria and standards relevant to
5 investigations of reports of abuse or neglect committed by any
6 agency, as defined in Section 3 of this Act, or person working
7 for an agency responsible for the welfare of a child or adult
8 resident.

9 (Source: P.A. 101-583, eff. 1-1-20; 102-538, eff. 8-20-21.)