

1 AN ACT concerning child care.

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

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

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

7 Sec. 2.09. "Day care center" means any child care  
8 facility which regularly provides day care for less than 24  
9 hours per day for (1) more than 8 children in a family home,  
10 or (2) more than 3 children in a facility other than a family  
11 home, including senior citizen buildings. The term does not  
12 include (a) programs operated by (i) public or private  
13 elementary school systems or secondary level school units or  
14 institutions of higher learning that which serve children who  
15 shall have attained the age of 3 years or (ii) private  
16 entities on the grounds of public or private elementary or  
17 secondary schools and that serve children who have attained  
18 the age of 3 years, except that this exception applies only  
19 to the facility and not to the private entities' personnel  
20 operating the program; (b) programs or that portion of the  
21 program which serves children who shall have attained the age  
22 of 3 years and which are recognized by the State Board of  
23 Education; (c) educational program or programs serving  
24 children who shall have attained the age of 3 years and which  
25 are operated by a school which is registered with the State  
26 Board of Education and which is recognized or accredited by a  
27 recognized national or multistate educational organization or  
28 association which regularly recognizes or accredits schools;  
29 (d) programs which exclusively serve or that portion of the  
30 program which serves handicapped children who shall have  
31 attained the age of 3 years but are less than 21 years of age

1 and which are registered and approved as meeting standards of  
2 the State Board of Education and applicable fire marshal  
3 standards; (e) facilities operated in connection with a  
4 shopping center or service, religious services, or other  
5 similar facility, where transient children are cared for  
6 temporarily while parents or custodians of the children are  
7 occupied on the premises and readily available; (f) any type  
8 of day care center that is conducted on federal government  
9 premises; (g) special activities programs, including  
10 athletics, crafts instruction and similar activities  
11 conducted on an organized and periodic basis by civic,  
12 charitable and governmental organizations; (h) part day child  
13 care facilities, as defined in Section 2.10 of this Act; or  
14 (i) programs or that portion of the program which (1) serves  
15 children who shall have attained the age of 3 years, (2) is  
16 operated by churches or religious institutions as described  
17 in Section 501 (c) (3) of the federal Internal Revenue Code,  
18 (3) receives no governmental aid, (4) is operated as a  
19 component of a religious, nonprofit elementary school, (5)  
20 operates primarily to provide religious education, and (6)  
21 meets appropriate State or local health and fire safety  
22 standards.

23 For purposes of (a), (b), (c), (d) and (i) of this  
24 Section, "children who shall have attained the age of 3  
25 years" shall mean children who are 3 years of age, but less  
26 than 4 years of age, at the time of enrollment in the  
27 program.

28 (Source: P.A. 88-302.)

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