



Rep. La Shawn K. Ford

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10000HB0237ham001

LRB100 04143 KTG 22045 a

1 AMENDMENT TO HOUSE BILL 237

2 AMENDMENT NO. _____. Amend House Bill 237 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Public Aid Code is amended by
5 changing Section 10-17.12 as follows:

6 (305 ILCS 5/10-17.12)

7 Sec. 10-17.12. Compromise of assigned child support
8 arrearages and interest.

9 (a) The Department of Healthcare and Family Services may
10 provide by rule for compromise of debt owed to the State in the
11 form of child support arrearages and interest accrued on child
12 support arrearages assigned to the State under Section 10-1.
13 The rule shall establish the circumstances under which such
14 obligations may be compromised, with due regard for the payment
15 ability of low-income obligors and the importance of
16 encouraging payment of current child support obligations. The

1 rule shall provide that assigned obligations shall be
2 compromised only in exchange for regular payment of support
3 owed to the family and shall require that obligors considered
4 for debt compromise demonstrate inability to pay during the
5 time the assigned obligation accumulated. The rule shall
6 provide for nullification of any compromise agreement and the
7 prohibition of any future compromise agreement if the obligor
8 fails to adhere to the compromise agreement. In addition, the
9 rule shall establish debt compromise criteria calculated to
10 maximize positive effects on families and the level of federal
11 incentive payments payable to the State under Title IV, Part D
12 of the Social Security Act and regulations promulgated
13 thereunder.

14 (b) The Department may compromise the debt owed by
15 incarcerated individuals to the State in the form of child
16 support interest accrued on child support arrearages assigned
17 to the State under Section 10-1. Such obligations may be
18 compromised, with due regard for the payment ability of
19 low-income obligors and the importance of encouraging payment
20 of current child support obligations. Assigned obligations
21 shall be compromised only upon request of an incarcerated
22 individual and only upon proof of incarceration and the length
23 thereof. Interest owed to the State will only be compromised
24 for the period in which the individual is actually
25 incarcerated. The interest debt compromise shall be
26 implemented to maximize positive effects on families and the

1 level of federal incentive payments payable to the State under
2 Title IV, Part D of the Social Security Act and regulations
3 promulgated thereunder.

4 (Source: P.A. 94-971, eff. 1-1-07.)"