**Section 160.130 Distribution of Intercepted Federal Income Tax Refunds**

The Department shall as promptly as possible apply collections it receives as a result of intercept of federal income tax refunds only against the past-due support amount specified in the advance notice provided the responsible relative (see Section 160.70(c)(3)).

a) Federal income tax refunds shall be applied first to satisfy any IV-D AFDC, IV-D TANF or IV-E foster care assigned past-due support and then to satisfy any IV-D non-TANF past-due support.

b) The Department shall send payments made to a IV-D client or DCFS as a result of the intercept of federal or State income tax refunds and other State payments within 30 calendar days after initial receipt by the Department, except as described in subsections (c) and (d) of this Section.

c) When a responsible relative initiates the review process under Section 160.70(b)(3)(C) between the date of the tax refund intercept and the date the Department disburses the intercepted funds or the 30th calendar day after the Department's initial receipt of those funds, whichever first occurs, the State Disbursement Unit shall send any funds determined to be due the IV-D client or DCFS within 15 calendar days after the review process concludes.

d) If the Department is notified by the federal Office of Child Support Enforcement that an intercept to satisfy IV-D non-TANF past-due support is being made from a refund based on a joint return, the Department may delay distribution of the federal tax refund intercept until it is notified that the unobligated spouse's proper share of the refund has been paid or for a period not to exceed six months from notification of the intercept, whichever first occurs.

(Source: Amended at 33 Ill. Reg. 591, effective January 5, 2009)