



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB5258

by Rep. Patricia R. Bellock

SYNOPSIS AS INTRODUCED:

305 ILCS 5/10-1	from Ch. 23, par. 10-1
305 ILCS 5/10-2	from Ch. 23, par. 10-2
305 ILCS 5/10-17	from Ch. 23, par. 10-17
305 ILCS 5/10-17.05 new	
750 ILCS 5/510	from Ch. 40, par. 510
750 ILCS 5/513.6 new	
750 ILCS 5/513.7 new	
750 ILCS 46/802	
750 ILCS 46/906 new	
750 ILCS 46/907 new	

Amends the Illinois Public Aid Code. In provisions concerning child support obligations, provides that the liability for the support of a child does not require a previous court order for custody and shall be in conjunction with the child support guidelines set forth in the Illinois Marriage and Dissolution of Marriage Act. Provides that the obligation to support, as provided under the Code, shall be concurrent to any other appropriate State law. Provides that an action to establish or enforce a support obligation, under the Code or under any other Act providing for the support of a child, may be brought subsequent to an adjudication dismissing that action based on specified reasons. Provides that in regard to cases filed under the Uniform Interstate Family Support Act, actions and remedies under the Code, the Uniform Interstate Family Support Act, or other State laws shall be cumulative and shall be used in conjunction with one another, as appropriate. Makes other changes. Makes corresponding changes to provisions under the Illinois Marriage and Dissolution of Marriage Act and the Illinois Parentage Act of 2015 concerning child support.

LRB100 18444 KTG 33659 b

1 AN ACT concerning child support.

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

4 Section 5. The Illinois Public Aid Code is amended by
5 changing Sections 10-1, 10-2, and 10-17 and by adding Section
6 10-17.05 as follows:

7 (305 ILCS 5/10-1) (from Ch. 23, par. 10-1)

8 Sec. 10-1. Declaration of Public Policy - Persons Eligible
9 for Child Support Enforcement Services - Fees for
10 Non-Applicants and Non-Recipients.) It is the intent of this
11 Code that the financial aid and social welfare services herein
12 provided supplement rather than supplant the primary and
13 continuing obligation of the family unit for self-support to
14 the fullest extent permitted by the resources available to it.
15 This primary and continuing obligation applies whether the
16 family unit of parents and children or of husband and wife
17 remains intact and resides in a common household or whether the
18 unit has been broken by absence of one or more members of the
19 unit. The obligation of the family unit is particularly
20 applicable when a member is in necessitous circumstances and
21 lacks the means of a livelihood compatible with health and
22 well-being.

23 It is the purpose of this Article to provide for locating

1 an absent parent or spouse, for determining his financial
2 circumstances, and for enforcing his legal obligation of
3 support, if he is able to furnish support, in whole or in part.
4 The Department of Healthcare and Family Services shall give
5 priority to establishing, enforcing and collecting the current
6 support obligation, and then to past due support owed to the
7 family unit, except with respect to collections effected
8 through the intercept programs provided for in this Article.
9 The establishment or enforcement actions provided in this
10 Article does not require a previous court order for custody or
11 allocation of parental responsibilities.

12 The child support enforcement services provided hereunder
13 shall be furnished dependents of an absent parent or spouse who
14 are applicants for or recipients of financial aid under this
15 Code. It is not, however, a condition of eligibility for
16 financial aid that there be no responsible relatives who are
17 reasonably able to provide support. Nor, except as provided in
18 Sections 4-1.7 and 10-8, shall the existence of such relatives
19 or their payment of support contributions disqualify a needy
20 person for financial aid.

21 By accepting financial aid under this Code, a spouse or a
22 parent or other person having physical or legal custody of a
23 child shall be deemed to have made assignment to the Illinois
24 Department for aid under Articles III, IV, V and VII or to a
25 local governmental unit for aid under Article VI of any and all
26 rights, title, and interest in any support obligation,

1 including statutory interest thereon, up to the amount of
2 financial aid provided. The rights to support assigned to the
3 Department of Healthcare and Family Services (formerly
4 Illinois Department of Public Aid) or local governmental unit
5 shall constitute an obligation owed the State or local
6 governmental unit by the person who is responsible for
7 providing the support, and shall be collectible under all
8 applicable processes.

9 The Department of Healthcare and Family Services shall also
10 furnish the child support enforcement services established
11 under this Article in behalf of persons who are not applicants
12 for or recipients of financial aid under this Code in
13 accordance with the requirements of Title IV, Part D of the
14 Social Security Act. The Department may establish a schedule of
15 reasonable fees, to be paid for the services provided and may
16 deduct a collection fee, not to exceed 10% of the amount
17 collected, from such collection. The Department of Healthcare
18 and Family Services shall cause to be published and distributed
19 publications reasonably calculated to inform the public that
20 individuals who are not recipients of or applicants for public
21 aid under this Code are eligible for the child support
22 enforcement services under this Article X. Such publications
23 shall set forth an explanation, in plain language, that the
24 child support enforcement services program is independent of
25 any public aid program under the Code and that the receiving of
26 child support enforcement services in no way implies that the

1 person receiving such services is receiving public aid.

2 (Source: P.A. 94-90, eff. 1-1-06; 95-331, eff. 8-21-07.)

3 (305 ILCS 5/10-2) (from Ch. 23, par. 10-2)

4 Sec. 10-2. Extent of Liability. A husband is liable for the
5 support of his wife and a wife for the support of her husband.
6 Unless the child is otherwise emancipated, the parents are
7 severally liable for the support of any child under age 18, and
8 for any child aged 18 who is attending high school, until that
9 child graduates from high school, or attains the age of 19,
10 whichever is earlier. The term "child" includes a child born
11 out of wedlock, or legally adopted child.

12 The liability for the support of a child provided for in
13 this Article does not require a previous court order for
14 custody and shall be in conjunction with the guidelines set
15 forth in Section 505 of the Illinois Marriage and Dissolution
16 of Marriage Act, as provided for in Section 10-10 of this
17 Article. The obligation to support as provided under this
18 Article shall be concurrent to any other appropriate State law.

19 This Article does not create, enlarge, abrogate, or
20 diminish parental rights or duties under other laws of this
21 State, including the common law.

22 An action to establish or enforce a support obligation,
23 under this Article or under any other Act providing for the
24 support of a child, may be brought subsequent to an
25 adjudication dismissing that action based on any of the

1 following reasons: (i) that no duty of support exists under
2 this Article because this Article requires a previous court
3 order for custody or for the allocation of parental
4 responsibilities (as no such requirement exists under this
5 Article); (ii) that there is no common law duty of support (as
6 a common law duty of support is recognized as a valid basis for
7 child support); and (iii) that there is no duty of support
8 under the Illinois Parentage Act of 2015 because a judgment of
9 paternity results in a de facto custody order or an order for
10 the allocation of parental responsibilities (as this ignores
11 the cumulative nature of the Acts and the plain language of the
12 statute permitting an explicit reservation of the issue).

13 In addition to the primary obligation of support imposed
14 upon responsible relatives, such relatives, if individually or
15 together in any combination they have sufficient income or
16 other resources to support a needy person, in whole or in part,
17 shall be liable for any financial aid extended under this Code
18 to a person for whose support they are responsible, including
19 amounts expended for funeral and burial costs.

20 (Source: P.A. 92-876, eff. 6-1-03.)

21 (305 ILCS 5/10-17) (from Ch. 23, par. 10-17)

22 Sec. 10-17. Other Actions and Remedies for Support. The
23 procedures, actions and remedies provided in this Article shall
24 in no way be exclusive, but shall be available in addition to
25 other actions and remedies of support, including, but not by

1 way of limitation, the remedies provided in (a) the Illinois
2 Parentage Act of 2015; (b) ~~the "Non-Support of Spouse and~~
3 ~~Children Act", approved June 24, 1915, as amended; (b-5) the~~
4 Non-Support Punishment Act; and (c) the Illinois Marriage and
5 Dissolution of Marriage Act; and (d) the Uniform Child-Custody
6 Jurisdiction and Enforcement Act; (e) the Uniform Interstate
7 Family Support Act; and the common law. ~~the "Revised Uniform~~
8 ~~Reciprocal Enforcement of Support Act", approved August 28,~~
9 ~~1969, as amended.~~

10 This Article does not create, enlarge, abrogate, or
11 diminish parental rights or duties under other laws of this
12 State, including the common law.

13 (Source: P.A. 99-85, eff. 1-1-16.)

14 (305 ILCS 5/10-17.05 new)

15 Sec. 10-17.05. Actions and remedies for support; other
16 State laws. In regard to cases filed under the Uniform
17 Interstate Family Support Act, in order to give full force and
18 effect to the intent of this Article, the Uniform Interstate
19 Family Support Act, and other State laws, and notwithstanding
20 any other State or local law to the contrary, actions and
21 remedies under this Article, the Uniform Interstate Family
22 Support Act, or other State laws shall be cumulative and shall
23 be used in conjunction with one another, as appropriate.
24 Actions and remedies under the Uniform Interstate Family
25 Support Act shall not require a custody or visitation

1 determination as a prerequisite to a determination of a support
2 obligation. If a custody or visitation determination is not
3 permitted under the Uniform Interstate Family Support Act, this
4 determination may be made under another appropriate State law,
5 assuming the court has authority to make the decision under the
6 appropriate State law.

7 Section 10. The Illinois Marriage and Dissolution of
8 Marriage Act is amended by changing Section 510 and by adding
9 Sections 513.6 and 513.7 as follows:

10 (750 ILCS 5/510) (from Ch. 40, par. 510)

11 Sec. 510. Modification and termination of provisions for
12 maintenance, support, educational expenses, and property
13 disposition.

14 (a) Except as otherwise provided in paragraph (f) of
15 Section 502 and in subsection (b), clause (3) of Section 505.2,
16 the provisions of any judgment respecting maintenance or
17 support may be modified only as to installments accruing
18 subsequent to due notice by the moving party of the filing of
19 the motion for modification. An order for child support may be
20 modified as follows:

21 (1) upon a showing of a substantial change in
22 circumstances; and

23 (2) without the necessity of showing a substantial
24 change in circumstances, as follows:

1 (A) upon a showing of an inconsistency of at least
2 20%, but no less than \$10 per month, between the amount
3 of the existing order and the amount of child support
4 that results from application of the guidelines
5 specified in Section 505 of this Act unless the
6 inconsistency is due to the fact that the amount of the
7 existing order resulted from a deviation from the
8 guideline amount and there has not been a change in the
9 circumstances that resulted in that deviation; or

10 (B) upon a showing of a need to provide for the
11 health care needs of the child under the order through
12 health insurance or other means. ~~In no event shall the~~
13 ~~eligibility for or receipt of medical assistance be~~
14 ~~considered to meet the need to provide for the child's~~
15 ~~health care needs.~~

16 The provisions of subparagraph (a) (2) (A) shall apply only
17 in cases in which a party is receiving child support
18 enforcement services from the Department of Healthcare and
19 Family Services under Article X of the Illinois Public Aid
20 Code, and only when at least 36 months have elapsed since the
21 order for child support was entered or last modified.

22 The court may grant a petition for modification that seeks
23 to apply the changes made to subsection (a) of Section 505 by
24 Public Act 99-764 to an order entered before the effective date
25 of Public Act 99-764 only upon a finding of a substantial
26 change in circumstances that warrants application of the

1 changes. The enactment of Public Act 99-764 itself does not
2 constitute a substantial change in circumstances warranting a
3 modification.

4 (a-5) An order for maintenance may be modified or
5 terminated only upon a showing of a substantial change in
6 circumstances. In all such proceedings, as well as in
7 proceedings in which maintenance is being reviewed, the court
8 shall consider the applicable factors set forth in subsection
9 (a) of Section 504 and the following factors:

10 (1) any change in the employment status of either party
11 and whether the change has been made in good faith;

12 (2) the efforts, if any, made by the party receiving
13 maintenance to become self-supporting, and the
14 reasonableness of the efforts where they are appropriate;

15 (3) any impairment of the present and future earning
16 capacity of either party;

17 (4) the tax consequences of the maintenance payments
18 upon the respective economic circumstances of the parties;

19 (5) the duration of the maintenance payments
20 previously paid (and remaining to be paid) relative to the
21 length of the marriage;

22 (6) the property, including retirement benefits,
23 awarded to each party under the judgment of dissolution of
24 marriage, judgment of legal separation, or judgment of
25 declaration of invalidity of marriage and the present
26 status of the property;

1 (7) the increase or decrease in each party's income
2 since the prior judgment or order from which a review,
3 modification, or termination is being sought;

4 (8) the property acquired and currently owned by each
5 party after the entry of the judgment of dissolution of
6 marriage, judgment of legal separation, or judgment of
7 declaration of invalidity of marriage; and

8 (9) any other factor that the court expressly finds to
9 be just and equitable.

10 (a-6) In a review under subsection (b-4.5) of Section 504
11 of this Act, the court may enter a fixed-term maintenance award
12 that bars future maintenance only if, at the time of the entry
13 of the award, the marriage had lasted 10 years or less at the
14 time the original action was commenced.

15 (b) The provisions as to property disposition may not be
16 revoked or modified, unless the court finds the existence of
17 conditions that justify the reopening of a judgment under the
18 laws of this State.

19 (c) Unless otherwise agreed by the parties in a written
20 agreement set forth in the judgment or otherwise approved by
21 the court, the obligation to pay future maintenance is
22 terminated upon the death of either party, or the remarriage of
23 the party receiving maintenance, or if the party receiving
24 maintenance cohabits with another person on a resident,
25 continuing conjugal basis. An obligor's obligation to pay
26 maintenance or unallocated maintenance terminates by operation

1 of law on the date the obligee remarries or the date the court
2 finds cohabitation began. The obligor is entitled to
3 reimbursement for all maintenance paid from that date forward.
4 Any termination of an obligation for maintenance as a result of
5 the death of the obligor, however, shall be inapplicable to any
6 right of the other party or such other party's designee to
7 receive a death benefit under such insurance on the obligor's
8 life. An obligee must advise the obligor of his or her
9 intention to marry at least 30 days before the remarriage,
10 unless the decision is made within this time period. In that
11 event, he or she must notify the obligor within 72 hours of
12 getting married.

13 (c-5) In an adjudicated case, the court shall make specific
14 factual findings as to the reason for the modification as well
15 as the amount, nature, and duration of the modified maintenance
16 award.

17 (d) Unless otherwise provided in this Act, or as agreed in
18 writing or expressly provided in the judgment, provisions for
19 the support of a child are terminated by emancipation of the
20 child, or if the child has attained the age of 18 and is still
21 attending high school, provisions for the support of the child
22 are terminated upon the date that the child graduates from high
23 school or the date the child attains the age of 19, whichever
24 is earlier, but not by the death of a parent obligated to
25 support or educate the child. An existing obligation to pay for
26 support or educational expenses, or both, is not terminated by

1 the death of a parent. When a parent obligated to pay support
2 or educational expenses, or both, dies, the amount of support
3 or educational expenses, or both, may be enforced, modified,
4 revoked or commuted to a lump sum payment, as equity may
5 require, and that determination may be provided for at the time
6 of the dissolution of the marriage or thereafter.

7 (e) The right to petition for support or educational
8 expenses, or both, under Sections 505, 513, and 513.5 is not
9 extinguished by the death of a parent. Upon a petition filed
10 before or after a parent's death, the court may award sums of
11 money out of the decedent's estate for the child's support or
12 educational expenses, or both, as equity may require. The time
13 within which a claim may be filed against the estate of a
14 decedent under Sections 505 and 513 and subsection (d) and this
15 subsection shall be governed by the provisions of the Probate
16 Act of 1975, as a barrable, noncontingent claim.

17 (f) A petition to modify or terminate child support or the
18 allocation of parental responsibilities, including parenting
19 time, shall not delay any child support enforcement litigation
20 or supplementary proceeding on behalf of the obligee,
21 including, but not limited to, a petition for a rule to show
22 cause, for non-wage garnishment, or for a restraining order.

23 (Source: P.A. 99-90, eff. 1-1-16; 99-764, eff. 7-1-17; 100-15,
24 eff. 7-1-17; 100-201, eff. 8-18-17.)

25 (750 ILCS 5/513.6 new)

1 Sec. 513.6. Other actions and remedies for support. The
2 procedures, actions, and remedies provided in this Act shall in
3 no way be exclusive, but shall be available in addition to
4 other actions and remedies of support, including, but not by
5 way of limitation, the remedies provided in (i) the Illinois
6 Parentage Act of 2015; (ii) the Non-Support Punishment Act;
7 (iii) the Illinois Public Aid Code; (iv) the Uniform
8 Child-Custody Jurisdiction and Enforcement Act; (v) the
9 Uniform Interstate Family Support Act; and (vi) the common law.

10 This Act does not create, enlarge, abrogate, or diminish
11 parental rights or duties under other laws of this State,
12 including the common law.

13 (750 ILCS 5/513.7 new)

14 Sec. 513.7. Actions and remedies for support; other State
15 laws. In regard to cases filed under the Uniform Interstate
16 Family Support Act, in order to give full force and effect to
17 the intent of this Act, the Uniform Interstate Family Support
18 Act, and other State laws, and notwithstanding any other State
19 or local law to the contrary, actions and remedies under this
20 Act, the Uniform Interstate Family Support Act, or other State
21 laws shall be cumulative and shall be used in conjunction with
22 one another, as appropriate. Actions and remedies under the
23 Uniform Interstate Family Support Act shall not require a
24 custody or visitation determination as a prerequisite to a
25 determination of a support obligation. If a custody or

1 visitation determination is not permitted under the Uniform
2 Interstate Family Support Act, this determination may be made
3 under another appropriate State law, assuming the court has
4 authority to make the decision under the appropriate State law.

5 Section 15. The Illinois Parentage Act of 2015 is amended
6 by changing Section 802 and by adding Sections 906 and 907 as
7 follows:

8 (750 ILCS 46/802)

9 Sec. 802. Judgment.

10 (a) The court shall issue an order adjudicating whether a
11 person alleged or claiming to be the parent is the parent of
12 the child. An order adjudicating parentage must identify the
13 child by name and date of birth.

14 The court may assess filing fees, reasonable attorney's
15 fees, fees for genetic testing, other costs, necessary travel
16 expenses, and other reasonable expenses incurred in a
17 proceeding under this Act. The court may award attorney's fees,
18 which may be paid directly to the attorney, who may enforce the
19 order in the attorney's own name. The court may not assess
20 fees, costs, or expenses against the support-enforcement
21 agency of this State or another state, except as provided by
22 other law.

23 The judgment shall contain or explicitly reserve
24 provisions concerning any duty and amount of child support and

1 may contain or explicitly reserve provisions concerning the
2 allocation of parental responsibilities or guardianship of the
3 child, parenting time privileges with the child, and the
4 furnishing of bond or other security for the payment of the
5 judgment, which the court shall determine in accordance with
6 the relevant factors set forth in the Illinois Marriage and
7 Dissolution of Marriage Act and any other applicable law of
8 this State, to guide the court in a finding in the best
9 interests of the child. In determining the allocation of
10 parental responsibilities, relocation, parenting time,
11 parenting time interference, support for a non-minor disabled
12 child, educational expenses for a non-minor child, and related
13 post-judgment issues, the court shall apply the relevant
14 standards of the Illinois Marriage and Dissolution of Marriage
15 Act. Specifically, in determining the amount of a child support
16 award, the court shall use the guidelines and standards set
17 forth in subsection (a) of Section 505 and in Section 505.2 of
18 the Illinois Marriage and Dissolution of Marriage Act. The
19 court shall order all child support payments, determined in
20 accordance with such guidelines, to commence with the date
21 summons is served. The level of current periodic support
22 payments shall not be reduced because of payments set for the
23 period prior to the date of entry of the support order.

24 (b) In an action brought within 2 years after a child's
25 birth, the judgment or order may direct either parent to pay
26 the reasonable expenses incurred by either parent or the

1 Department of Healthcare and Family Services related to the
2 mother's pregnancy and the delivery of the child.

3 (c) In the absence of an explicit order or judgment for the
4 allocation of parental responsibilities, to the extent the
5 court has authority under the Uniform Child-Custody
6 Jurisdiction and Enforcement Act or any other appropriate State
7 law, the establishment of a child support obligation or the
8 allocation of parenting time to one parent shall be construed
9 as an order or judgment allocating all parental
10 responsibilities to the other parent. If the parentage order or
11 judgment contains no such provisions, all parental
12 responsibilities shall be presumed to be allocated to the
13 mother; however, the presumption shall not apply if the child
14 has resided primarily with the other parent for at least 6
15 months prior to the date that the mother seeks to enforce the
16 order or judgment of parentage.

17 (c-5) Notwithstanding the limitations regarding the
18 establishment of custody under the Uniform Interstate Family
19 Support Act, that Act is not exclusive, and custody or
20 allocation of parental responsibilities may be determined
21 concurrently under other appropriate State laws, where this
22 determination may be validly made.

23 (d) The court, if necessary to protect and promote the best
24 interests of the child, may set aside a portion of the
25 separately held estates of the parties in a separate fund or
26 trust for the support, education, physical and mental health,

1 and general welfare of a minor or mentally or physically
2 disabled child of the parties.

3 (e) The court may order child support payments to be made
4 for a period prior to the commencement of the action. In
5 determining whether and to what extent the payments shall be
6 made for the prior period, the court shall consider all
7 relevant facts, including but not limited to:

8 (1) The factors for determining the amount of support
9 specified in the Illinois Marriage and Dissolution of
10 Marriage Act.

11 (2) The prior knowledge of the person obligated to pay
12 support of the fact and circumstances of the child's birth.

13 (3) The father's prior willingness or refusal to help
14 raise or support the child.

15 (4) The extent to which the mother or the public agency
16 bringing the action previously informed the person
17 obligated to pay support of the child's needs or attempted
18 to seek or require the help of the person obligated to pay
19 support in raising or supporting the child.

20 (5) The reasons the mother or the public agency did not
21 file the action earlier.

22 (6) The extent to which the person obligated to pay
23 support would be prejudiced by the delay in bringing the
24 action.

25 For purposes of determining the amount of child support to
26 be paid for the period before the date the order for current

1 child support is entered, there is a rebuttable presumption
2 that the net income of the person obligated to pay support for
3 the prior period was the same as the net income of the person
4 obligated to pay support at the time the order for current
5 child support is entered.

6 If (i) the person obligated to pay support was properly
7 served with a request for discovery of financial information
8 relating to the ability to provide child support of the person
9 obligated to pay support; (ii) the person obligated to pay
10 support failed to comply with the request, despite having been
11 ordered to do so by the court; and (iii) the person obligated
12 to pay support is not present at the hearing to determine
13 support despite having received proper notice, then any
14 relevant financial information concerning the ability to
15 provide child support of the person obligated to pay support
16 that was obtained pursuant to subpoena and proper notice shall
17 be admitted into evidence without the need to establish any
18 further foundation for its admission.

19 (f) A new or existing support order entered by the court
20 under this Section shall be deemed to be a series of judgments
21 against the person obligated to pay support thereunder, each
22 judgment to be in the amount of each payment or installment of
23 support and each judgment to be deemed entered as of the date
24 the corresponding payment or installment becomes due under the
25 terms of the support order. Each judgment shall have the full
26 force, effect, and attributes of any other judgment of this

1 State, including the ability to be enforced. A judgment under
2 this Section is subject to modification or termination only in
3 accordance with Section 510 of the Illinois Marriage and
4 Dissolution of Marriage Act. Notwithstanding any State or local
5 law to the contrary, a lien arises by operation of law against
6 the real and personal property of the noncustodial parent for
7 each installment of overdue support owed by the noncustodial
8 parent.

9 (g) If the judgment or order of the court is at variance
10 with the child's birth certificate, the court shall order that
11 a new birth certificate be issued under the Vital Records Act.

12 (h) On the request of both parents, the court shall order a
13 change in the child's name.

14 (i) After hearing evidence, the court may stay payment of
15 support during the period of the father's minority or period of
16 disability.

17 (j) If, upon a showing of proper service, the father fails
18 to appear in court or otherwise appear as provided by law, the
19 court may proceed to hear the cause upon testimony of the
20 mother or other parties taken in open court and shall enter a
21 judgment by default. The court may reserve any order as to the
22 amount of child support until the father has received notice,
23 by regular mail, of a hearing on the matter.

24 (k) An order for support, when entered or modified, shall
25 include a provision requiring the non-custodial parent to
26 notify the court and, in cases in which a party is receiving

1 child support enforcement services under Article X of the
2 Illinois Public Aid Code, the Department of Healthcare and
3 Family Services, within 7 days: (i) of the name and address of
4 any new employer of the non-custodial parent; (ii) whether the
5 non-custodial parent has access to health insurance coverage
6 through the employer or other group coverage and, if so, of the
7 policy name and number and the names of adults and initials of
8 minors covered under the policy; and (iii) of any new
9 residential or mailing address or telephone number of the
10 non-custodial parent. In a subsequent action to enforce a
11 support order, upon a sufficient showing that a diligent effort
12 has been made to ascertain the location of the non-custodial
13 parent, service of process or provision of notice necessary in
14 the case may be made at the last known address of the
15 non-custodial parent in any manner expressly provided by this
16 Act or the Code of Civil Procedure, and shall be sufficient for
17 purposes of due process.

18 (1) An order for support shall include a date on which the
19 current support obligation terminates. The termination date
20 shall be no earlier than the date on which the child covered by
21 the order will attain the age of 18. However, if the child will
22 not graduate from high school until after attaining the age of
23 18, then the termination date shall be no earlier than the
24 earlier of the date on which the child's high school graduation
25 will occur or the date on which the child will attain the age
26 of 19. The order for support shall state that the termination

1 date does not apply to any arrearage that may remain unpaid on
2 that date. Nothing in this subsection shall be construed to
3 prevent the court from modifying the order or terminating the
4 order in the event the child is otherwise emancipated.

5 (m) If there is an unpaid arrearage or delinquency (as
6 those terms are defined in the Income Withholding for Support
7 Act) equal to at least one month's support obligation on the
8 termination date stated in the order for support or, if there
9 is no termination date stated in the order, on the date the
10 child attains the age of majority or is otherwise emancipated,
11 the periodic amount required to be paid for current support of
12 that child immediately prior to that date shall automatically
13 continue to be an obligation, not as current support but as
14 periodic payment toward satisfaction of the unpaid arrearage or
15 delinquency. The periodic payment shall be in addition to any
16 periodic payment previously required for satisfaction of the
17 arrearage or delinquency. The total periodic amount to be paid
18 toward satisfaction of the arrearage or delinquency may be
19 enforced and collected by any method provided by law for
20 enforcement and collection of child support, including but not
21 limited to income withholding under the Income Withholding for
22 Support Act. Each order for support entered or modified must
23 contain a statement notifying the parties of the requirements
24 of this subsection. Failure to include the statement in the
25 order for support does not affect the validity of the order or
26 the operation of the provisions of this subsection with regard

1 to the order. This subsection shall not be construed to prevent
2 or affect the establishment or modification of an order for
3 support of a minor child or the establishment or modification
4 of an order for support of a non-minor child or educational
5 expenses under Section 513 of the Illinois Marriage and
6 Dissolution of Marriage Act.

7 (n) An order entered under this Section shall include a
8 provision requiring the obligor to report to the obligee and to
9 the clerk of court within 7 days each time the obligor obtains
10 new employment, and each time the obligor's employment is
11 terminated for any reason. The report shall be in writing and
12 shall, in the case of new employment, include the name and
13 address of the new employer. Failure to report new employment
14 or the termination of current employment, if coupled with
15 nonpayment of support for a period in excess of 60 days, is
16 indirect criminal contempt. For an obligor arrested for failure
17 to report new employment, bond shall be set in the amount of
18 the child support that should have been paid during the period
19 of unreported employment. An order entered under this Section
20 shall also include a provision requiring the obligor and
21 obligee parents to advise each other of a change in residence
22 within 5 days of the change except when the court finds that
23 the physical, mental, or emotional health of a party or that of
24 a minor child, or both, would be seriously endangered by
25 disclosure of the party's address.

26 (Source: P.A. 99-85, eff. 1-1-16; 99-769, eff. 1-1-17.)

1 (750 ILCS 46/906 new)

2 Sec. 906. Other actions and remedies for support. The
3 procedures, actions, and remedies provided in this Act shall in
4 no way be exclusive, but shall be available in addition to
5 other actions and remedies of support, including, but not by
6 way of limitation, the remedies provided in (i) the Illinois
7 Parentage Act of 2015; (ii) the Non-Support Punishment Act;
8 (iii) the Illinois Public Aid Code; (iv) the Uniform
9 Child-Custody Jurisdiction and Enforcement Act; (v) the
10 Uniform Interstate Family Support Act; and (vi) the common law.

11 This Act does not create, enlarge, abrogate, or diminish
12 parental rights or duties under other laws of this State,
13 including the common law.

14 (750 ILCS 46/907 new)

15 Sec. 907. Actions and remedies for support; other State
16 laws. In regard to cases filed under the Uniform Interstate
17 Family Support Act, in order to give full force and effect to
18 the intent of this Act, the Uniform Interstate Family Support
19 Act, and other State laws, and notwithstanding any other State
20 or local law to the contrary, actions and remedies under this
21 Act, the Uniform Interstate Family Support Act, or other State
22 laws shall be cumulative and shall be used in conjunction with
23 one another, as appropriate. Actions and remedies under the
24 Uniform Interstate Family Support Act shall not require a

1 custody or visitation determination as a prerequisite to a
2 determination of a support obligation. If a custody or
3 visitation determination is not permitted under the Uniform
4 Interstate Family Support Act, this determination may be made
5 under another appropriate State law, assuming the court has
6 authority to make the decision under the appropriate State law.