



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB2110

Introduced 2/26/2021, by Sen. Karina Villa

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 5/518 new	
750 ILCS 5/519 new	
750 ILCS 46/802	
750 ILCS 46/906 new	
750 ILCS 46/907 new	

Amends the Illinois Public Aid Code, the Illinois Marriage and Dissolution of Marriage Act, and the Illinois Parentage Act of 2015. Provides that the procedures, actions, and remedies in the amended Acts shall not be exclusive, but shall be available in addition to other actions and remedies of support, including remedies provided in specific other Acts. Provides that actions and remedies shall be cumulative and used in conjunction with one another. Provides that actions and remedies shall not require a custody/allocation of parental rights or visitation determination as a prerequisite to a determination of a support obligation. Makes other changes. Effective immediately.

LRB102 16311 LNS 21696 b

1 AN ACT concerning civil law.

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
18 the unit has been broken by absence of one or more members of
19 the 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 do not require a previous court order for
11 custody/allocation of parental responsibilities.

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

1 way implies that the person receiving such services is
2 receiving public aid.

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

4 (305 ILCS 5/10-2) (from Ch. 23, par. 10-2)

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

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

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

24 An action to establish or enforce a support obligation,
25 under this or any other Act providing for the support of a

1 child, may be brought subsequent to an adjudication dismissing
2 that action based on any of the following reasons: (1) no duty
3 of support exists under this Article because this Article
4 requires a previous court order for custody/allocation of
5 parental responsibilities (as no such requirement exists under
6 this Act); (2) there is no common law duty of support (as a
7 common law duty of support is recognized as a valid basis for
8 child support); or (3) there is no duty of support under the
9 Illinois Parentage Act of 2015 because a judgment of paternity
10 results in a de facto custody/allocation of parental
11 responsibilities order (as this ignores the cumulative nature
12 of the Act and the plain language of the statute permitting an
13 explicit reservation of the issue. The Illinois Parentage Act
14 of 2015 will be clarified regarding a de factor
15 custody/allocation of parental responsibilities order as it
16 relates to the Uniform Interstate Family Support Act).

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

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

25 (305 ILCS 5/10-17) (from Ch. 23, par. 10-17)

1 Sec. 10-17. Other Actions and Remedies for Support. The
2 procedures, actions, and remedies provided in this Article
3 shall in no way be exclusive, but shall be available in
4 addition to other actions and remedies of support, including,
5 but not by way of limitation, the remedies provided in (a) the
6 Illinois Parentage Act of 2015; (b) (blank); ~~the "Non Support~~
7 ~~of Spouse and Children Act", approved June 24, 1915, as~~
8 ~~amended;~~ (b-5) the Non-Support Punishment Act; ~~and~~ (c)
9 (blank); (d) the Illinois Marriage and Dissolution of Marriage
10 Act; (e) the Uniform Child-Custody Jurisdiction and
11 Enforcement Act; (f) the Uniform Interstate Family Support
12 Act; and (g) the common law. ~~the "Revised Uniform Reciprocal~~
13 ~~Enforcement of Support Act", approved August 28, 1969, as~~
14 ~~amended.~~

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

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

19 (305 ILCS 5/10-17.05 new)

20 Sec. 10-17.05. Actions and remedies for support; other
21 laws. Notwithstanding any other State or local law to the
22 contrary, actions and remedies under this Article, the Uniform
23 Interstate Family Support Act, or other State laws shall be
24 cumulative and used in conjunction with one another, as
25 appropriate. Actions and remedies under the Uniform Interstate

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

8 Section 10. The Illinois Marriage and Dissolution of
9 Marriage Act is amended by changing Section 510 and by adding
10 Sections 518 and 519 as follows:

11 (750 ILCS 5/510) (from Ch. 40, par. 510)

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

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

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

24 (2) without the necessity of showing a substantial

1 change in circumstances, as follows:

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

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

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

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

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

5 (a-5) An order for maintenance may be modified or
6 terminated only upon a showing of a substantial change in
7 circumstances. The court may grant a petition for modification
8 that seeks to apply the changes made to Section 504 by this
9 amendatory Act of the 100th General Assembly to an order
10 entered before the effective date of this amendatory Act of
11 the 100th General Assembly only upon a finding of a
12 substantial change in circumstances that warrants application
13 of the changes. The enactment of this amendatory Act of the
14 100th General Assembly itself does not constitute a
15 substantial change in circumstances warranting a modification.
16 In all such proceedings, as well as in proceedings in which
17 maintenance is being reviewed, the court shall consider the
18 applicable factors set forth in subsection (a) of Section 504
19 and the following factors:

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

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

25 (3) any impairment of the present and future earning
26 capacity of either party;

1 (4) the tax consequences of the maintenance payments
2 upon the respective economic circumstances of the parties;

3 (5) the duration of the maintenance payments
4 previously paid (and remaining to be paid) relative to the
5 length of the marriage;

6 (6) the property, including retirement benefits,
7 awarded to each party under the judgment of dissolution of
8 marriage, judgment of legal separation, or judgment of
9 declaration of invalidity of marriage and the present
10 status of the property;

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

14 (8) the property acquired and currently owned by each
15 party after the entry of the judgment of dissolution of
16 marriage, judgment of legal separation, or judgment of
17 declaration of invalidity of marriage; and

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

20 (a-6) (Blank).

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

25 (c) Unless otherwise agreed by the parties in a written
26 agreement set forth in the judgment or otherwise approved by

1 the court, the obligation to pay future maintenance is
2 terminated upon the death of either party, or the remarriage
3 of the party receiving maintenance, or if the party receiving
4 maintenance cohabits with another person on a resident,
5 continuing conjugal basis. An obligor's obligation to pay
6 maintenance or unallocated maintenance terminates by operation
7 of law on the date the obligee remarries or the date the court
8 finds cohabitation began. The obligor is entitled to
9 reimbursement for all maintenance paid from that date forward.
10 Any termination of an obligation for maintenance as a result
11 of the death of the obligor, however, shall be inapplicable to
12 any right of the other party or such other party's designee to
13 receive a death benefit under such insurance on the obligor's
14 life. An obligee must advise the obligor of his or her
15 intention to marry at least 30 days before the remarriage,
16 unless the decision is made within this time period. In that
17 event, he or she must notify the obligor within 72 hours of
18 getting married.

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

23 (d) Unless otherwise provided in this Act, or as agreed in
24 writing or expressly provided in the judgment, provisions for
25 the support of a child are terminated by emancipation of the
26 child, or if the child has attained the age of 18 and is still

1 attending high school, provisions for the support of the child
2 are terminated upon the date that the child graduates from
3 high school or the date the child attains the age of 19,
4 whichever is earlier, but not by the death of a parent
5 obligated to support or educate the child. An existing
6 obligation to pay for support or educational expenses, or
7 both, is not terminated by the death of a parent. When a parent
8 obligated to pay support or educational expenses, or both,
9 dies, the amount of support or educational expenses, or both,
10 may be enforced, modified, revoked or commuted to a lump sum
11 payment, as equity may require, and that determination may be
12 provided for at the time of the dissolution of the marriage or
13 thereafter.

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

24 (f) A petition to modify or terminate child support or the
25 allocation of parental responsibilities, including parenting
26 time, shall not delay any child support enforcement litigation

1 or supplementary proceeding on behalf of the obligee,
2 including, but not limited to, a petition for a rule to show
3 cause, for non-wage garnishment, or for a restraining order.

4 (Source: P.A. 99-90, eff. 1-1-16; 99-764, eff. 7-1-17; 100-15,
5 eff. 7-1-17; 100-201, eff. 8-18-17; 100-923, eff. 1-1-19.)

6 (750 ILCS 5/518 new)

7 Sec. 518. Other actions and remedies for support. The
8 procedures, actions, and remedies provided in this Act shall
9 in no way be exclusive, but shall be available in addition to
10 other actions and remedies of support, including, but not
11 limited to, the remedies provided in: (a) the Illinois
12 Parentage Act of 2015; (b) the Non-Support Punishment Act; (c)
13 the Illinois Public Aid Code; (d) the Uniform Child-Custody
14 Jurisdiction and Enforcement Act; (e) the Uniform Interstate
15 Family Support Act; and (f) the common law.

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

19 (750 ILCS 5/519 new)

20 Sec. 519. Actions and remedies for support; other laws.
21 Notwithstanding any other State or local law to the contrary,
22 actions and remedies under this Act, the Uniform Interstate
23 Family Support Act, or other State laws shall be cumulative
24 and used in conjunction with one another, as appropriate.

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

9 Section 15. The Illinois Parentage Act of 2015 is amended
10 by changing Section 802 and by adding Sections 906 and 907 as
11 follows:

12 (750 ILCS 46/802)

13 Sec. 802. Judgment.

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

18 The court may assess filing fees, reasonable attorney's
19 fees, fees for genetic testing, other costs, necessary travel
20 expenses, and other reasonable expenses incurred in a
21 proceeding under this Act. The court may award attorney's
22 fees, which may be paid directly to the attorney, who may
23 enforce the order in the attorney's own name. The court may not
24 assess fees, costs, or expenses against the

1 support-enforcement agency of this State or another state,
2 except as provided by other law.

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

1 payments set for the period prior to the date of entry of the
2 support order.

3 (b) In an action brought within 2 years after a child's
4 birth, the judgment or order may direct either parent to pay
5 the reasonable expenses incurred by either parent or the
6 Department of Healthcare and Family Services related to the
7 mother's pregnancy and the delivery of the child.

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

22 (c-5) Notwithstanding the limitations regarding the
23 establishment of custody under the Uniform Interstate Family
24 Support Act, that Act is not exclusive, and custody/allocation
25 of parental responsibilities may be determined concurrently
26 under other appropriate State laws, where this determination

1 may be validly made.

2 (d) The court, if necessary to protect and promote the
3 best interests of the child, may set aside a portion of the
4 separately held estates of the parties in a separate fund or
5 trust for the support, education, physical and mental health,
6 and general welfare of a minor or mentally or physically
7 disabled child of the parties.

8 (e) The court may order child support payments to be made
9 for a period prior to the commencement of the action. In
10 determining whether and to what extent the payments shall be
11 made for the prior period, the court shall consider all
12 relevant facts, including but not limited to:

13 (1) The factors for determining the amount of support
14 specified in the Illinois Marriage and Dissolution of
15 Marriage Act.

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

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

21 (4) The extent to which the mother or the public
22 agency bringing the action previously informed the person
23 obligated to pay support of the child's needs or attempted
24 to seek or require the help of the person obligated to pay
25 support in raising or supporting the child.

26 (5) The reasons the mother or the public agency did

1 not file the action earlier.

2 (6) The extent to which the person obligated to pay
3 support would be prejudiced by the delay in bringing the
4 action.

5 For purposes of determining the amount of child support to
6 be paid for the period before the date the order for current
7 child support is entered, there is a rebuttable presumption
8 that the net income of the person obligated to pay support for
9 the prior period was the same as the net income of the person
10 obligated to pay support at the time the order for current
11 child support is entered.

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

25 (f) A new or existing support order entered by the court
26 under this Section shall be deemed to be a series of judgments

1 against the person obligated to pay support thereunder, each
2 judgment to be in the amount of each payment or installment of
3 support and each judgment to be deemed entered as of the date
4 the corresponding payment or installment becomes due under the
5 terms of the support order. Each judgment shall have the full
6 force, effect, and attributes of any other judgment of this
7 State, including the ability to be enforced. A judgment under
8 this Section is subject to modification or termination only in
9 accordance with Section 510 of the Illinois Marriage and
10 Dissolution of Marriage Act. Notwithstanding any State or
11 local law to the contrary, a lien arises by operation of law
12 against the real and personal property of the noncustodial
13 parent for each installment of overdue support owed by the
14 noncustodial parent.

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

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

20 (i) After hearing evidence, the court may stay payment of
21 support during the period of the father's minority or period
22 of disability.

23 (j) If, upon a showing of proper service, the father fails
24 to appear in court or otherwise appear as provided by law, the
25 court may proceed to hear the cause upon testimony of the
26 mother or other parties taken in open court and shall enter a

1 judgment by default. The court may reserve any order as to the
2 amount of child support until the father has received notice,
3 by regular mail, of a hearing on the matter.

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

24 (l) An order for support shall include a date on which the
25 current support obligation terminates. The termination date
26 shall be no earlier than the date on which the child covered by

1 the order will attain the age of 18. However, if the child will
2 not graduate from high school until after attaining the age of
3 18, then the termination date shall be no earlier than the
4 earlier of the date on which the child's high school
5 graduation will occur or the date on which the child will
6 attain the age of 19. The order for support shall state that
7 the termination date does not apply to any arrearage that may
8 remain unpaid on that date. Nothing in this subsection shall
9 be construed to prevent the court from modifying the order or
10 terminating the order in the event the child is otherwise
11 emancipated.

12 (m) If there is an unpaid arrearage or delinquency (as
13 those terms are defined in the Income Withholding for Support
14 Act) equal to at least one month's support obligation on the
15 termination date stated in the order for support or, if there
16 is no termination date stated in the order, on the date the
17 child attains the age of majority or is otherwise emancipated,
18 the periodic amount required to be paid for current support of
19 that child immediately prior to that date shall automatically
20 continue to be an obligation, not as current support but as
21 periodic payment toward satisfaction of the unpaid arrearage
22 or delinquency. The periodic payment shall be in addition to
23 any periodic payment previously required for satisfaction of
24 the arrearage or delinquency. The total periodic amount to be
25 paid toward satisfaction of the arrearage or delinquency may
26 be enforced and collected by any method provided by law for

1 enforcement and collection of child support, including but not
2 limited to income withholding under the Income Withholding for
3 Support Act. Each order for support entered or modified must
4 contain a statement notifying the parties of the requirements
5 of this subsection. Failure to include the statement in the
6 order for support does not affect the validity of the order or
7 the operation of the provisions of this subsection with regard
8 to the order. This subsection shall not be construed to
9 prevent or affect the establishment or modification of an
10 order for support of a minor child or the establishment or
11 modification of an order for support of a non-minor child or
12 educational expenses under Section 513 of the Illinois
13 Marriage and Dissolution of Marriage Act.

14 (n) An order entered under this Section shall include a
15 provision requiring the obligor to report to the obligee and
16 to the clerk of court within 7 days each time the obligor
17 obtains new employment, and each time the obligor's employment
18 is terminated for any reason. The report shall be in writing
19 and shall, in the case of new employment, include the name and
20 address of the new employer. Failure to report new employment
21 or the termination of current employment, if coupled with
22 nonpayment of support for a period in excess of 60 days, is
23 indirect criminal contempt. For an obligor arrested for
24 failure to report new employment, bond shall be set in the
25 amount of the child support that should have been paid during
26 the period of unreported employment. An order entered under

1 this Section shall also include a provision requiring the
2 obligor and obligee parents to advise each other of a change in
3 residence within 5 days of the change except when the court
4 finds that the physical, mental, or emotional health of a
5 party or that of a minor child, or both, would be seriously
6 endangered by disclosure of the party's address.

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

8 (750 ILCS 46/906 new)

9 Sec. 906. Other actions and remedies for support. The
10 procedures, actions, and remedies provided in this Act shall
11 in no way be exclusive, but shall be available in addition to
12 other actions and remedies of support, including, but not
13 limited to, the remedies provided in: (a) the Illinois
14 Marriage and Dissolution of Marriage Act; (b) the Non-Support
15 Punishment Act; (c) the Illinois Public Aid Code; (d) the
16 Uniform Child-Custody Jurisdiction and Enforcement Act; (e)
17 the Uniform Interstate Family Support Act; and (f) the common
18 law.

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

22 (750 ILCS 46/907 new)

23 Sec. 907. Actions and remedies for support; other laws.
24 Notwithstanding any other State or local law to the contrary,

1 actions and remedies under this Act, the Uniform Interstate
2 Family Support Act, or other State laws shall be cumulative
3 and used in conjunction with one another, as appropriate.
4 Actions and remedies under the Uniform Interstate Family
5 Support Act shall not require a custody or visitation
6 determination as a prerequisite to a determination of a
7 support obligation. If a custody or visitation determination
8 is not permitted under the Uniform Interstate Family Support
9 Act, the determination may be made under another appropriate
10 State law if the court has authority to make the decision under
11 the appropriate law.

12 Section 99. Effective date. This Act takes effect upon
13 becoming law.