

1 AN ACT regarding 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 Section 10-3.3 as follows:

6 (305 ILCS 5/10-3.3)

7 Sec. 10-3.3. Locating support obligor and others;  
8 penalties.

9 (a) Upon request by the Child and Spouse Support Unit,  
10 ~~may request and receive from~~ employers, labor unions, and  
11 telephone companies shall provide, ~~and utility companies~~  
12 location information concerning putative fathers and  
13 noncustodial parents for the purpose of establishing a  
14 child's paternity or establishing, enforcing, or modifying a  
15 child support obligation. In this Section, "location  
16 information" means information about (i) the physical  
17 whereabouts of a putative father or noncustodial parent, (ii)  
18 the putative father or noncustodial parent's employer, or  
19 (iii) the salary, wages, and other compensation paid and the  
20 health insurance coverage provided to the putative father or  
21 noncustodial parent by the employer of the putative father or  
22 noncustodial parent or by a labor union of which the putative  
23 father or noncustodial parent is a member.

24 An The employer, ~~of a putative father or noncustodial~~  
25 ~~parent or the~~ labor union, or telephone company ~~of which the~~  
26 ~~putative father or noncustodial parent is a member~~ shall  
27 respond to the request of the Child and Spouse Support Unit  
28 within 15 days after receiving ~~the employer or labor union~~  
29 ~~receives~~ the request. Any employer, ~~or~~ labor union, or  
30 telephone company that willfully fails to fully respond  
31 within the 15-day period shall be subject to a penalty of

1 \$100 for each day that the response is not provided to the  
2 Illinois Department after the 15-day period has expired. The  
3 penalty may be collected in a civil action, which may be  
4 brought against the employer, or labor union, or telephone  
5 company in favor of the Illinois Department.

6 (b) Upon being served with an administrative subpoena as  
7 authorized under this Code, a utility company or cable  
8 television company must provide location information to the  
9 Child and Spouse Support Unit for the purpose of establishing  
10 a child's paternity or establishing, enforcing, or modifying  
11 a child support obligation. Pursuant-to-an-administrative  
12 subpoena-as-authorized-under-this-Code,-the-Child-and--Spouse  
13 Support--Unit--may-request-and-receive-from-utility-companies  
14 and---cable---television---companies---location---information  
15 concerning-individuals-who-owe-or-are-owed-support-or-against  
16 whom-or-with-respect-to-whom-a-support-obligation-is-sought.

17 (c) Notwithstanding the provisions of any other State or  
18 local law to the contrary, an employer, labor union,  
19 telephone company, utility company, or cable television  
20 company shall not be liable to any person for disclosure of  
21 location information under the requirements of this Section.

22 (Source: P.A. 89-395, eff. 1-1-96; 90-18, eff. 7-1-97.)

23 Section 10. The Illinois Marriage and Dissolution of  
24 Marriage Act is amended by adding Section 714 as follows:

25 (750 ILCS 5/714 new)

26 Sec. 714. Information to locate putative fathers and  
27 noncustodial parents.

28 (a) Upon request by a public office, employers, labor  
29 unions, and telephone companies shall provide location  
30 information concerning putative fathers and noncustodial  
31 parents for the purpose of establishing a child's paternity  
32 or establishing, enforcing, or modifying a child support

1 obligation. The term "public office" is defined as set forth  
2 in the Income Withholding for Support Act. In this Section,  
3 "location information" means information about (i) the  
4 physical whereabouts of a putative father or noncustodial  
5 parent, (ii) the employer of the putative father or  
6 noncustodial parent, or (iii) the salary, wages, and other  
7 compensation paid and the health insurance coverage provided  
8 to the putative father or noncustodial parent by the employer  
9 of the putative father or noncustodial parent or by a labor  
10 union of which the putative father or noncustodial parent is  
11 a member. An employer, labor union, or telephone company  
12 shall respond to the request of the public office within 15  
13 days after receiving the request. Any employer, labor union,  
14 or telephone company that willfully fails to fully respond  
15 within the 15-day period shall be subject to a penalty of  
16 \$100 for each day that the response is not provided to the  
17 public office after the 15-day period has expired. The  
18 penalty may be collected in a civil action, which may be  
19 brought against the employer, labor union, or telephone  
20 company in favor of the public office.

21 (b) Upon being served with a subpoena (including an  
22 administrative subpoena as authorized by law), a utility  
23 company or cable television company must provide location  
24 information to a public office for the purpose of  
25 establishing a child's paternity or establishing, enforcing,  
26 or modifying a child support obligation.

27 (c) Notwithstanding the provisions of any other State or  
28 local law to the contrary, an employer, labor union,  
29 telephone company, utility company, or cable television  
30 company shall not be liable to any person for disclosure of  
31 location information under the requirements of this Section.

32 Section 15. The Non-Support Punishment Act is amended by  
33 adding Section 33 as follows:

1 (750 ILCS 16/33 new)

2 Sec. 33. Information to locate putative fathers and  
3 noncustodial parents.

4 (a) Upon request by a public office, employers, labor  
5 unions, and telephone companies shall provide location  
6 information concerning putative fathers and noncustodial  
7 parents for the purpose of establishing a child's paternity  
8 or establishing, enforcing, or modifying a child support  
9 obligation. The term "public office" is defined as set forth  
10 in the Income Withholding for Support Act. In this Section,  
11 "location information" means information about (i) the  
12 physical whereabouts of a putative father or noncustodial  
13 parent, (ii) the employer of the putative father or  
14 noncustodial parent, or (iii) the salary, wages, and other  
15 compensation paid and the health insurance coverage provided  
16 to the putative father or noncustodial parent by the employer  
17 of the putative father or noncustodial parent or by a labor  
18 union of which the putative father or noncustodial parent is  
19 a member. An employer, labor union, or telephone company  
20 shall respond to the request of the public office within 15  
21 days after receiving the request. Any employer, labor union,  
22 or telephone company that willfully fails to fully respond  
23 within the 15-day period shall be subject to a penalty of  
24 \$100 for each day that the response is not provided to the  
25 public office after the 15-day period has expired. The  
26 penalty may be collected in a civil action, which may be  
27 brought against the employer, labor union, or telephone  
28 company in favor of the public office.

29 (b) Upon being served with a subpoena (including an  
30 administrative subpoena as authorized by law), a utility  
31 company or cable television company must provide location  
32 information to a public office for the purpose of  
33 establishing a child's paternity or establishing, enforcing,  
34 or modifying a child support obligation.

1       (c) Notwithstanding the provisions of any other State or  
 2       local law to the contrary, an employer, labor union,  
 3       telephone company, utility company, or cable television  
 4       company shall not be liable to any person for disclosure of  
 5       location information under the requirements of this Section.

6       Section 20. The Illinois Parentage Act of 1984 is  
 7       amended by adding Section 14.5 as follows:

8           (750 ILCS 45/14.5 new)

9       Sec. 14.5. Information to locate putative fathers and  
 10       noncustodial parents.

11       (a) Upon request by a public office, employers, labor  
 12       unions, and telephone companies shall provide location  
 13       information concerning putative fathers and noncustodial  
 14       parents for the purpose of establishing a child's paternity  
 15       or establishing, enforcing, or modifying a child support  
 16       obligation. The term "public office" is defined as set forth  
 17       in the Income Withholding for Support Act. In this Section,  
 18       "location information" means information about (i) the  
 19       physical whereabouts of a putative father or noncustodial  
 20       parent, (ii) the employer of the putative father or  
 21       noncustodial parent, or (iii) the salary, wages, and other  
 22       compensation paid and the health insurance coverage provided  
 23       to the putative father or noncustodial parent by the employer  
 24       of the putative father or noncustodial parent or by a labor  
 25       union of which the putative father or noncustodial parent is  
 26       a member. An employer, labor union, or telephone company  
 27       shall respond to the request of the public office within 15  
 28       days after receiving the request. Any employer, labor union,  
 29       or telephone company that willfully fails to fully respond  
 30       within the 15-day period shall be subject to a penalty of  
 31       \$100 for each day that the response is not provided to the  
 32       public office after the 15-day period has expired. The

1 penalty may be collected in a civil action, which may be  
2 brought against the employer, labor union, or telephone  
3 company in favor of the public office.

4 (b) Upon being served with a subpoena (including an  
5 administrative subpoena as authorized by law), a utility  
6 company or cable television company must provide location  
7 information to a public office for the purpose of  
8 establishing a child's paternity or establishing, enforcing,  
9 or modifying a child support obligation.

10 (c) Notwithstanding the provisions of any other State or  
11 local law to the contrary, an employer, labor union,  
12 telephone company, utility company, or cable television  
13 company shall not be liable to any person for disclosure of  
14 location information under the requirements of this Section.

15 Section 99. Effective date. This Act takes effect upon  
16 becoming law.