

1 AMENDMENT TO HOUSE BILL 16

2 AMENDMENT NO. _____. Amend House Bill 16 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 10-3.3 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

1 father or noncustodial parent is a member.

2 An The employer, ~~of--a-putative-father-or-noneustodial~~
3 ~~parent-or-the~~ labor union, or telephone company ~~of-which--the~~
4 ~~putative--father--or--noneustodial--parent--is-a-member~~ shall
5 respond to the request of the Child and Spouse Support Unit
6 within 15 days after receiving ~~the-employer-or-labor-union~~
7 ~~receives~~ the request. Any employer, ~~or~~ labor union, or
8 telephone company that willfully fails to fully respond
9 within the 15-day period shall be subject to a penalty of
10 \$100 for each day that the response is not provided to the
11 Illinois Department after the 15-day period has expired. The
12 penalty may be collected in a civil action, which may be
13 brought against the employer, ~~or~~ labor union, or telephone
14 company in favor of the Illinois Department.

15 (b) Upon being served with an administrative subpoena as
16 authorized under this Code, a utility company or cable
17 television company must provide location information to the
18 Child and Spouse Support Unit for the purpose of establishing
19 a child's paternity or establishing, enforcing, or modifying
20 a child support obligation. Pursuant-~~to-an-administrative~~
21 ~~subpoena-as-authorized-under-this-Code,-the-Child-and--Spouse~~
22 ~~Support--Unit--may-request-and-receive-from-utility-companies~~
23 ~~and---cable---television---companies---location---information~~
24 ~~concerning-individuals-who-owe-or-are-owed-support-or-against~~
25 ~~whom-or-with-respect-to-whom-a-support-obligation-is-sought.~~

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

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

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

1 (750 ILCS 5/714 new)

2 Sec. 714. 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 15. The Non-Support Punishment Act is amended by
7 adding Section 33 as follows:

8 (750 ILCS 16/33 new)

9 Sec. 33. 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 20. The Illinois Parentage Act of 1984 is
16 amended by adding Section 14.5 as follows:

17 (750 ILCS 45/14.5 new)

18 Sec. 14.5. Information to locate putative fathers and
19 noncustodial parents.

20 (a) Upon request by a public office, employers, labor
21 unions, and telephone companies shall provide location
22 information concerning putative fathers and noncustodial
23 parents for the purpose of establishing a child's paternity
24 or establishing, enforcing, or modifying a child support
25 obligation. The term "public office" is defined as set forth
26 in the Income Withholding for Support Act. In this Section,
27 "location information" means information about (i) the
28 physical whereabouts of a putative father or noncustodial
29 parent, (ii) the employer of the putative father or
30 noncustodial parent, or (iii) the salary, wages, and other
31 compensation paid and the health insurance coverage provided
32 to the putative father or noncustodial parent by the employer

1 of the putative father or noncustodial parent or by a labor
2 union of which the putative father or noncustodial parent is
3 a member. An employer, labor union, or telephone company
4 shall respond to the request of the public office within 15
5 days after receiving the request. Any employer, labor union,
6 or telephone company that willfully fails to fully respond
7 within the 15-day period shall be subject to a penalty of
8 \$100 for each day that the response is not provided to the
9 public office after the 15-day period has expired. The
10 penalty may be collected in a civil action, which may be
11 brought against the employer, labor union, or telephone
12 company in favor of the public office.

13 (b) Upon being served with a subpoena (including an
14 administrative subpoena as authorized by law), a utility
15 company or cable television company must provide location
16 information to a public office for the purpose of
17 establishing a child's paternity or establishing, enforcing,
18 or modifying a child support obligation.

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

24 Section 99. Effective date. This Act takes effect upon
25 becoming law."