

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 except for willful and wanton misconduct.

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

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

26 (750 ILCS 5/714 new)

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

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

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

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

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

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

3 (750 ILCS 16/33 new)

4 Sec. 33. Information to locate putative fathers and
5 noncustodial parents.

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

31 (b) Upon being served with a subpoena (including an
32 administrative subpoena as authorized by law), a utility
33 company or cable television company must provide location

1 information to a public office for the purpose of
2 establishing a child's paternity or establishing, enforcing,
3 or modifying a child support obligation.

4 (c) Notwithstanding the provisions of any other State or
5 local law to the contrary, an employer, labor union,
6 telephone company, utility company, or cable television
7 company shall not be liable to any person for disclosure of
8 location information under the requirements of this Section,
9 except for willful and wanton misconduct.

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

12 (750 ILCS 45/14.5 new)

13 Sec. 14.5. Information to locate putative fathers and
14 noncustodial parents.

15 (a) Upon request by a public office, employers, labor
16 unions, and telephone companies shall provide location
17 information concerning putative fathers and noncustodial
18 parents for the purpose of establishing a child's paternity
19 or establishing, enforcing, or modifying a child support
20 obligation. The term "public office" is defined as set forth
21 in the Income Withholding for Support Act. In this Section,
22 "location information" means information about (i) the
23 physical whereabouts of a putative father or noncustodial
24 parent, (ii) the employer of the putative father or
25 noncustodial parent, or (iii) the salary, wages, and other
26 compensation paid and the health insurance coverage provided
27 to the putative father or noncustodial parent by the employer
28 of the putative father or noncustodial parent or by a labor
29 union of which the putative father or noncustodial parent is
30 a member. An employer, labor union, or telephone company
31 shall respond to the request of the public office within 15
32 days after receiving the request. Any employer, labor union,

1 or telephone company that willfully fails to fully respond
2 within the 15-day period shall be subject to a penalty of
3 \$100 for each day that the response is not provided to the
4 public office after the 15-day period has expired. The
5 penalty may be collected in a civil action, which may be
6 brought against the employer, labor union, or telephone
7 company in favor of the public office.

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

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

20 Section 99. Effective date. This Act takes effect upon
21 becoming law.