

1 AN ACT in relation to child support.

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

4 Section 5. The Collection Agency Act is amended by
5 changing Section 2.04 as follows:

6 (225 ILCS 425/2.04) (from Ch. 111, par. 2005.1)

7 (Section scheduled to be repealed on January 1, 2006)

8 Sec. 2.04. Child support indebtedness.

9 (a) Persons, associations, partnerships, or corporations
10 engaged in the business of collecting child support
11 indebtedness owing under a court order as provided under the
12 Illinois Public Aid Code, the Illinois Marriage and
13 Dissolution of Marriage Act, the Non-Support of Spouse and
14 Children Act, the Non-Support Punishment Act, the Illinois
15 Parentage Act of 1984, or similar laws of other states are
16 not restricted (i) in the frequency of contact with an
17 obligor who is in arrears, whether by phone, mail, or other
18 means, (ii) from contacting the employer of an obligor who is
19 in arrears, (iii) from publishing or threatening to publish a
20 list of obligors in arrears, (iv) from disclosing or
21 threatening to disclose an arrearage that the obligor
22 disputes, but for which a verified notice of delinquency has
23 been served under the Income Withholding for Support Act (or
24 any of its predecessors, Section 10-16.2 of the Illinois
25 Public Aid Code, Section 706.1 of the Illinois Marriage and
26 Dissolution of Marriage Act, Section 4.1 of the Non-Support
27 of Spouse and Children Act, Section 26.1 of the Revised
28 Uniform Reciprocal Enforcement of Support Act, or Section 20
29 of the Illinois Parentage Act of 1984), or (v) from engaging
30 in conduct that would not cause a reasonable person mental or
31 physical illness. For purposes of this subsection, "obligor"

1 means an individual who owes a duty to make periodic
2 payments, under a court order, for the support of a child.
3 "Arrearage" means the total amount of an obligor's unpaid
4 child support obligations.

5 (a-5) A collection agency may not impose a fee or
6 charge, including costs, for any child support payments
7 collected through the efforts of a State or local
8 governmental agency.

9 (a-10) A collection agency may not impose a fee or
10 charge, including costs, for the collection of child support
11 payments that exceeds 25% of the amount of child support
12 actually collected by the collection agency.

13 (b) The Department shall adopt rules necessary to
14 administer and enforce the provisions of this Section.

15 (Source: P.A. 90-673, eff. 1-1-99; 91-613, eff. 10-1-99.)