



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB4284

by Rep. Mike Boland

SYNOPSIS AS INTRODUCED:

305 ILCS 5/10-17.13
625 ILCS 5/11-1430

Amends the Illinois Public Aid Code and the Illinois Vehicle Code. Authorizes the Department of Healthcare and Family Services to provide by rule for certification to county sheriffs of past due support owed by responsible relatives under a support order entered by a court or administrative body. Provides that the purpose of the certification is to effect collection of past-due support by immobilization and impoundment of vehicles registered to responsible relatives who are delinquent in paying support. Authorizes counties to provide by ordinance for a program of vehicle immobilization and impoundment in such cases. Effective immediately.

LRB095 15716 DRJ 41723 b

1 AN ACT concerning 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 10-17.13 as follows:

6 (305 ILCS 5/10-17.13)

7 Sec. 10-17.13. Vehicle immobilization and impoundment. The
8 Illinois Department may provide by rule for certification to
9 municipalities and county sheriffs of past due support owed by
10 responsible relatives under a support order entered by a court
11 or administrative body of this or any other State on behalf of
12 resident or non-resident persons. The purpose of certification
13 shall be to effect collection of past due support by
14 immobilization and impoundment of vehicles registered to
15 responsible relatives pursuant to ordinances established by
16 such municipalities or counties under Section 11-1430 of the
17 Illinois Vehicle Code.

18 The rule shall provide for notice to and an opportunity to
19 be heard by each responsible relative affected, and any final
20 administrative decision rendered by the Department shall be
21 reviewed only under and in accordance with the Administrative
22 Review Law. A responsible relative may avoid certification to a
23 municipality or county sheriff for vehicle immobilization or

1 arrange for discontinuance of vehicle immobilization and
2 impoundment already engaged by payment of past due support or
3 by entering into a plan for payment of past and current child
4 support obligations in a manner satisfactory to the Illinois
5 Department.

6 (Source: P.A. 95-685, eff. 10-23-07.)

7 Section 10. The Illinois Vehicle Code is amended by
8 changing Section 11-1430 as follows:

9 (625 ILCS 5/11-1430)

10 Sec. 11-1430. Vehicle immobilization and impoundment upon
11 certification of the Department of Healthcare and Family
12 Services. Any municipality or county may provide by ordinance
13 for a program of vehicle immobilization and impoundment in
14 cases in which the Department of Healthcare and Family Services
15 has certified to the municipality or county sheriff under
16 Section 10-17.13 of the Illinois Public Aid Code that the
17 registered owner of a vehicle owes past due support. The
18 program shall provide for immobilization of any eligible
19 vehicle upon the public way by presence of a restraint in a
20 manner to prevent operation of the vehicle and for subsequent
21 towing and impoundment of such vehicle solely upon the
22 certification of past due support by the Department of
23 Healthcare and Family Services. Further process, hearings, or
24 redetermination of the past due support by the municipality or

1 county shall not be required under the ordinance. The ordinance
2 shall provide that the municipality or county sheriff may
3 terminate immobilization and impoundment of the vehicle if the
4 registered owner has arranged for payment of past and current
5 support obligations in a manner satisfactory to the Department
6 of Healthcare and Family Services.

7 (Source: P.A. 95-685, eff. 10-23-07.)

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.