



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB5494

Introduced 2/15/2012, by Rep. Daniel V. Beiser

SYNOPSIS AS INTRODUCED:

305 ILCS 5/10-6.5 new
750 ILCS 28/21 new

Amends the Illinois Public Aid Code and the Income Withholding for Support Act. Provides that when determining a responsible relative's ability to provide support, the Department of Healthcare and Family Services shall use its subpoena power to obtain a copy of the relative's most recent Federal Income Tax return to verify all sources of income. Provides that if it is determined upon receipt of the relative's most recent Federal Income Tax return that the responsible relative receives income from more than one employer, the Department shall serve an income withholding notice upon each of the relative's employers pursuant to the Income Withholding for Support Act. Provides that to ensure against a responsible relative's overpayment when more than one employer has been served with an income withholding notice, the Department shall assess the relative's support obligation among the multiple income withholding orders on a proportionate basis. Effective immediately.

LRB097 17512 KTG 62716 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning public aid.

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 adding Section 10-6.5 as follows:

6 (305 ILCS 5/10-6.5 new)

7 Sec. 10-6.5. Verification of employment; multiple income
8 withholding orders. When determining a responsible relative's
9 ability to provide support, the Department shall use its
10 subpoena power as set forth in this Article to obtain a copy of
11 the relative's most recent Federal Income Tax return to verify
12 all sources of income. If it is determined upon receipt of the
13 relative's most recent Federal Income Tax return that the
14 responsible relative receives income from more than one
15 employer, the Department shall serve an income withholding
16 notice upon each of the relative's employers pursuant to the
17 Income Withholding for Support Act. To ensure against a
18 responsible relative's overpayment when more than one employer
19 has been served with an income withholding notice, the
20 Department shall assess the relative's support obligation
21 among the multiple income withholding orders on a proportionate
22 basis.

1 Section 10. The Income Withholding for Support Act is
2 amended by adding Section 21 as follows:

3 (750 ILCS 28/21 new)

4 Sec. 21. Verification of employment; multiple income
5 withholding orders. When determining a obligor's ability to pay
6 child support, the Department of Healthcare and Family
7 Services, as the Title IV-D Agency, shall use its subpoena
8 power as set forth in Section 10-13.6 of the Illinois Public
9 Aid Code to obtain a copy of the obligor's most recent Federal
10 Income Tax return to verify all sources of income. If it is
11 determined upon receipt of the obligor's most recent Federal
12 Income Tax return that the obligor receives income from more
13 than one employer, the Department shall serve an income
14 withholding notice upon each of the obligor's employers
15 pursuant to this Act. To ensure against an obligor's
16 overpayment when more than one employer has been served with an
17 income withholding notice, the Department shall assess the
18 obligor's support obligation among the multiple income
19 withholding orders on a proportionate basis.

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