

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 Horse Racing Act of 1975 is amended
5 by adding Sections 27.2 and 34.2 as follows:

6 (230 ILCS 5/27.2 new)

7 Sec. 27.2. Withholding of delinquent child support.

8 (a) From winnings required to be reported to the Internal
9 Revenue Service and subject to withholding on Form W-2G,
10 organization licensees and advance deposit wagering licensees
11 licensed under this Act shall withhold up to the full amount of
12 winnings necessary to pay the winner's past due child support
13 amount as certified by the Department of Healthcare and Family
14 Services under Section 10-17.15 of the Illinois Public Aid
15 Code. Amounts withheld shall be paid to the Department of
16 Healthcare and Family Services by the organization licensee or
17 the advance deposit wagering licensee, as applicable.

18 (b) For withholding of winnings, the organization licensee
19 or advance deposit wagering licensee shall be entitled to an
20 administrative fee not to exceed the lesser of 4% of the total
21 amount of cash winnings paid to the gambling winner or \$150.

22 (c) In no event may the total amount withheld from the cash
23 payout, including the administrative fee, exceed the total cash

1 winnings claimed by the obligor. If the cash payout claimed is
2 greater than the amount sufficient to satisfy the obligor's
3 delinquent child support payments, the organization licensee
4 or advance deposit wagering licensee shall pay the obligor the
5 remaining balance of the payout, less the administrative fee
6 authorized by subsection (b) of this Section, at the time it is
7 claimed.

8 (d) An organization licensee or an advance deposit wagering
9 licensee that in good faith complies with the requirements of
10 this Section shall not be liable to the gaming winner or any
11 other individual or entity.

12 (e) For an organization licensee under this Act, an agent
13 of the Board (such as an employee of the Board) shall be
14 responsible for notifying the person identified as being
15 delinquent in child support payments that the organization
16 licensee is required by law to withhold all or a portion of his
17 or her winnings. This notification must be provided at the time
18 the winnings are withheld.

19 (f) The provisions of this Section shall be operative on
20 and after the date that rules are adopted by the Department of
21 Healthcare and Family Services pursuant to Section 10-17.15 of
22 the Illinois Public Aid Code.

23 (g) The delinquent child support required to be withheld
24 under this Section and the administrative fee under subsection
25 (b) of this Section have priority over any secured or unsecured
26 claim on cash winnings, except claims for federal or State

1 taxes that are required to be withheld under federal or State
2 law.

3 (230 ILCS 5/34.2 new)

4 Sec. 34.2. Withholding of delinquent child support; signs;
5 statement.

6 (a) Each organization licensee shall post signs with a
7 statement regarding withholding of delinquent child support,
8 the text of which shall be determined by rule by the Department
9 of Healthcare and Family Services, at the following locations
10 in each race track at which horse race meetings are conducted
11 by the organization licensee and in each inter-track wagering
12 facility and inter-track wagering location operated by the
13 organization licensee:

14 (1) Each entrance and exit.

15 (2) Near each credit location.

16 The signs shall be provided by the Department of Healthcare
17 and Family Services.

18 (b) Each organization licensee shall print a statement
19 regarding withholding of delinquent child support, the text of
20 which shall be determined by rule by the Department of
21 Healthcare and Family Services, on all official racing programs
22 that the organization licensee provides to the general public.

23 Section 10. The Riverboat Gambling Act is amended by adding
24 Sections 13.05 and 13.2 as follows:

1 (230 ILCS 10/13.05 new)

2 Sec. 13.05. Withholding of delinquent child support.

3 (a) From winnings required to be reported to the Internal
4 Revenue Service on Form W-2G, an owners licensee or a licensee
5 that operates one or more facilities or gaming locations at
6 which lawful gambling is authorized as provided in this Act
7 shall withhold up to the full amount of winnings necessary to
8 pay the winner's past due child support amount as certified by
9 the Department of Healthcare and Family Services under Section
10 10-17.15 of the Illinois Public Aid Code. Amounts withheld
11 shall be paid to the Department of Healthcare and Family
12 Services by the owners licensee or casino operator licensee, as
13 applicable.

14 (b) For withholding of winnings, the licensee shall be
15 entitled to an administrative fee not to exceed the lesser of
16 4% of the total amount of cash winnings paid to the gambling
17 winner or \$150.

18 (c) In no event may the total amount withheld from the cash
19 payout, including the administrative fee, exceed the total cash
20 winnings claimed by the obligor. If the cash payout claimed is
21 greater than the amount sufficient to satisfy the obligor's
22 delinquent child support payments, the licensee shall pay the
23 obligor the remaining balance of the payout, less the
24 administrative fee authorized by subsection (b) of this
25 Section, at the time it is claimed.

1 (d) A licensee who in good faith complies with the
2 requirements of this Section shall not be liable to the gaming
3 winner or any other individual or entity.

4 (e) Upon request of a licensed owner under this Act, an
5 agent of the Board (such as a gaming special agent employed by
6 the Board, a State police officer, or a revenue agent) shall be
7 responsible for notifying the person identified as being
8 delinquent in child support payments that the licensed owner is
9 required by law to withhold all or a portion of his or her
10 winnings. If given, this notification must be provided at the
11 time the winnings are withheld.

12 (f) The provisions of this Section shall be operative on
13 and after the date that rules are adopted by the Department of
14 Healthcare and Family Services pursuant to Section 10-17.15 of
15 the Illinois Public Aid Code.

16 (g) The delinquent child support required to be withheld
17 under this Section and the administrative fee under subsection
18 (b) of this Section have priority over any secured or unsecured
19 claim on cash winnings, except claims for federal or State
20 taxes that are required to be withheld under federal or State
21 law.

22 (230 ILCS 10/13.2 new)

23 Sec. 13.2. Withholding of delinquent child support; signs;
24 statement.

25 (a) Each licensed owner may post signs with a statement

1 regarding withholding of delinquent child support, the text of
2 which shall be determined by rule by the Department of
3 Healthcare and Family Services, at the following locations in
4 each facility at which gambling is conducted by the licensed
5 owner:

6 (1) Each entrance and exit.

7 (2) Near each credit location.

8 (3) At each cashier's cage.

9 The signs shall be provided by the Department of Healthcare
10 and Family Services.

11 (b) Each licensed owner may print a statement regarding
12 withholding of delinquent child support, the text of which
13 shall be determined by rule by the Department of Healthcare and
14 Family Services, on all paper stock that the license owner
15 provides to the general public.

16 Section 15. The Illinois Public Aid Code is amended by
17 adding Section 10-17.15 as follows:

18 (305 ILCS 5/10-17.15 new)

19 Sec. 10-17.15. Certification of information to State
20 gaming licensees.

21 (a) For purposes of this Section, "State gaming licensee"
22 means, as applicable, an organization licensee or advance
23 deposit wagering licensee licensed under the Illinois Horse
24 Racing Act of 1975, an owners licensee licensed under the

1 Riverboat Gambling Act, or a licensee that operates, under any
2 law of this State, one or more facilities or gaming locations
3 at which lawful gambling is authorized and licensed as provided
4 in the Riverboat Gambling Act.

5 (b) The Department may provide, by rule, for certification
6 to any State gaming licensee of past due child support owed by
7 a responsible relative under a support order entered by a court
8 or administrative body of this or any other State on behalf of
9 a resident or non-resident receiving child support services
10 under this Article in accordance with the requirements of Title
11 IV-D, Part D, of the Social Security Act. The State gaming
12 licensee shall have the ability to withhold from winnings
13 required to be reported to the Internal Revenue Service on Form
14 W-2G, up to the full amount of winnings necessary to pay the
15 winner's past due child support. The rule shall provide for
16 notice to and an opportunity to be heard by each responsible
17 relative affected and any final administrative decision
18 rendered by the Department shall be reviewed only under and in
19 accordance with the Administrative Review Law.

20 (c) For withholding of winnings, the State gaming licensee
21 shall be entitled to an administrative fee not to exceed the
22 lesser of 4% of the total amount of cash winnings paid to the
23 gambling winner or \$150.

24 (d) In no event may the total amount withheld from the cash
25 payout, including the administrative fee, exceed the total cash
26 winnings claimed by the obligor. If the cash payout claimed is

1 greater than the amount sufficient to satisfy the obligor's
2 delinquent child support payments, the State gaming licensee
3 shall pay the obligor the remaining balance of the payout, less
4 the administrative fee authorized by subsection (c) of this
5 Section, at the time it is claimed.

6 (e) A State gaming licensee who in good faith complies with
7 the requirements of this Section shall not be liable to the
8 gaming winner or any other individual or entity.

9 Section 99. Effective date. This Act takes effect July 1,
10 2013.