

AN ACT regarding child support.

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

Section 5. The Illinois Public Aid Code is amended by  
changing Section 10-3.3 as follows:

(305 ILCS 5/10-3.3)

Sec. 10-3.3. Locating support obligor and others;  
penalties.

(a) Upon request by the Child and Spouse Support Unit,  
~~may request and receive from~~ employers, labor unions, and  
telephone companies shall provide, ~~and utility companies~~  
location information concerning putative fathers and  
noncustodial parents for the purpose of establishing a  
child's paternity or establishing, enforcing, or modifying a  
child support obligation. In this Section, "location  
information" means information about (i) the physical  
whereabouts of a putative father or noncustodial parent, (ii)  
the putative father or noncustodial parent's employer, or  
(iii) the salary, wages, and other compensation paid and the  
health insurance coverage provided to the putative father or  
noncustodial parent by the employer of the putative father or  
noncustodial parent or by a labor union of which the putative  
father or noncustodial parent is a member.

An The employer, ~~of a putative father or noncustodial~~  
~~parent or the labor union, or telephone company of which the~~  
~~putative father or noncustodial parent is a member~~ shall  
respond to the request of the Child and Spouse Support Unit  
within 15 days after receiving ~~the employer or labor union~~  
~~receives~~ the request. Any employer, ~~or~~ labor union, or  
telephone company that willfully fails to fully respond  
within the 15-day period shall be subject to a penalty of

\$100 for each day that the response is not provided to the Illinois Department after the 15-day period has expired. The penalty may be collected in a civil action, which may be brought against the employer, ~~or~~ labor union, or telephone company in favor of the Illinois Department.

(b) Upon being served with an administrative subpoena as authorized under this Code, a utility company or cable television company must provide location information to the Child and Spouse Support Unit for the purpose of establishing a child's paternity or establishing, enforcing, or modifying a child support obligation. Pursuant-to-an-administrative subpoena-as-authorized-under-this-Code,-the-Child-and--Spouse Support--Unit--may-request-and-receive-from-utility-companies and---cable---television---companies---location---information concerning-individuals-who-owe-or-are-owed-support-or-against whom-or-with-respect-to-whom-a-support-obligation-is-sought-

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

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

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

(750 ILCS 5/714 new)

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

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

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

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

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

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

(750 ILCS 16/33 new)

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

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

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

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

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

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

(750 ILCS 45/14.5 new)

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

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

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

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

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

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