

**HB1473**



**104TH GENERAL ASSEMBLY**

**State of Illinois**

**2025 and 2026**

**HB1473**

Introduced 1/28/2025, by Rep. Travis Weaver

**SYNOPSIS AS INTRODUCED:**

New Act  
750 ILCS 46/802

Creates the Pregnancy Expenses Act. Provides that the other party to a pregnancy or the other intended parent has a duty to pay 50% of the pregnant person's pregnancy expenses. Allows an action seeking the payment of pregnancy expenses to be brought during or after the pregnancy. Provides that only the pregnant person or the pregnant person's legally authorized designee in the event of death or incapacitation of the pregnant person may bring an action seeking the payment of pregnancy expenses. Allows the court to order the other party to the pregnancy or other intended parent to pay more than 50% of the pregnancy expenses. Makes a conforming change in the Illinois Parentage Act of 2015. Effective immediately.

LRB104 03151 JRC 13172 b

**A BILL FOR**

1           AN ACT concerning civil law.

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

4           Section 1. Short title. This Act may be cited as the  
5           Pregnancy Expenses Act.

6           Section 5. Definitions. As used in this Act:

7           "Donor" means an individual who participates in an  
8           assisted reproductive technology arrangement by providing  
9           gametes and relinquishes all rights and responsibility to the  
10          gametes so that another individual or individuals may become  
11          the legal parent or parents of any resulting child. "Donor"  
12          does not include a spouse in any assisted reproductive  
13          technology arrangement in which the other spouse will parent  
14          any resulting child.

15          "Gamete" means either a sperm or an egg.

16          "Other intended parent" means a person who has expressed  
17          an intent to be the legal parent of a child with a pregnant  
18          person but did not contribute sperm to the creation of the  
19          pregnancy.

20          "Party to the pregnancy" means a person who contributed  
21          sperm to the creation of the pregnancy. "Other party to the  
22          pregnancy" does not include a donor.

23          "Pregnancy expenses" means an amount equal to:

(1) the sum of a pregnant person's:

(A) health insurance premiums while pregnant that are not paid by an employer or government program; and

(B) medical costs related to the pregnancy, incurred after the date of implantation and before the pregnancy ends, including any medical costs related to the delivery of the child; minus

(2) any portion of the amount described in paragraph

(1) that a court determines is equitable based on the totality of the circumstances, not including any amount paid by the pregnant person, other party to the pregnancy, or other intended parent.

"Pregnancy expenses" does not include costs related to an abortion.

"Pregnant person" means a person who is carrying or has carried a pregnancy.

## Section 10. Pregnancy expenses.

(a) Except as otherwise provided in this Section, the other party to the pregnancy or the other intended parent, if there is one, has a duty to pay 50% of the pregnant person's pregnancy expenses. If the other intended parent's parentage is disputed, the other party to the pregnancy owes no duty under this Section until the other intended parent's parentage is determined under the Illinois Parentage Act of 2015.

(b) Any portion of a pregnant person's pregnancy expenses

1 paid by the pregnant person, other party to the pregnancy, or  
2 other intended parent reduces that party's 50% share under  
3 subsection (a), not the total amount of pregnancy expenses.  
4 This subsection applies regardless of when the pregnant  
5 person, other party to the pregnancy, or other intended parent  
6 pays the pregnancy expense.

7 (c) This Section does not apply if the court apportions  
8 pregnancy expenses under Article 8 of the Illinois Parentage  
9 Act of 2015 or Part V of the Illinois Marriage and Dissolution  
10 of Marriage Act.

11 (d) This Section does not apply to any pregnancy for which  
12 there is a valid gestational surrogacy contract pursuant to  
13 the Illinois Gestational Surrogacy Act.

14 Section 15. Actions seeking payment of pregnancy expenses.

15 (a) An action seeking the payment of pregnancy expenses  
16 may be brought during or after the pregnancy. The petitioner  
17 is not required to wait until the pregnancy ends to bring an  
18 action under this Act.

19 (b) An action seeking the payment of pregnancy expenses  
20 shall only be brought by the pregnant person or the pregnant  
21 person's legally authorized designee in the event of death or  
22 incapacitation of the pregnant person.

23 (c) In an action seeking the payment of pregnancy  
24 expenses, the court, in its determination of whether to order  
25 the other party to the pregnancy or other intended parent to

1 pay pregnancy expenses, shall consider:

2 (1) the income and property of each party;

3 (2) the needs of each party;

4 (3) the realistic present and future earning capacity  
5 of each party;

6 (4) any impairment of the present and future earning  
7 capacity of the pregnant person seeking pregnancy expenses  
8 due to that person devoting time to domestic duties or  
9 having forgone or delayed education, training, employment,  
10 or career opportunities due to the pregnancy; and

11 (5) any other factor that the court expressly finds to  
12 be just and equitable.

13 (d) In an action seeking the payment of pregnancy  
14 expenses, the court, in its discretion, may order the other  
15 party to the pregnancy or other intended parent to pay more  
16 than 50% of the pregnancy expenses.

17 (e) If a person seeks payment of pregnancy expenses under  
18 this Act by providing documentation of payments, medical  
19 expenses, and insurance premiums, the court may, after review,  
20 order the payment of the pregnancy expenses.

21 Section 90. The Illinois Parentage Act of 2015 is amended  
22 by changing Section 802 as follows:

23 (750 ILCS 46/802)

24 Sec. 802. Judgment.

(a) The court shall issue an order adjudicating whether a person alleged or claiming to be the parent is the parent of the child. An order adjudicating parentage must identify the child by name and date of birth.

The court may assess filing fees, reasonable attorney's fees, fees for genetic testing, other costs, necessary travel expenses, and other reasonable expenses incurred in a proceeding under this Act. The court may award attorney's fees, which may be paid directly to the attorney, who may enforce the order in the attorney's own name. The court may not assess fees, costs, or expenses against the support-enforcement agency of this State or another state, except as provided by other law.

The judgment shall contain or explicitly reserve provisions concerning any duty and amount of child support and may contain or explicitly reserve provisions concerning the allocation of parental responsibilities or guardianship of the child, parenting time privileges with the child, and the furnishing of bond or other security for the payment of the judgment, which the court shall determine in accordance with the relevant factors set forth in the Illinois Marriage and Dissolution of Marriage Act and any other applicable law of this State, to guide the court in a finding in the best interests of the child. In determining the allocation of parental responsibilities, relocation, parenting time, parenting time interference, support for a non-minor disabled

1 child, educational expenses for a non-minor child, and related  
2 post-judgment issues, the court shall apply the relevant  
3 standards of the Illinois Marriage and Dissolution of Marriage  
4 Act. Specifically, in determining the amount of a child  
5 support award, the court shall use the guidelines and  
6 standards set forth in subsection (a) of Section 505 and in  
7 Section 505.2 of the Illinois Marriage and Dissolution of  
8 Marriage Act. The court shall order all child support  
9 payments, determined in accordance with such guidelines, to  
10 commence with the date summons is served. The level of current  
11 periodic support payments shall not be reduced because of  
12 payments set for the period prior to the date of entry of the  
13 support order.

14 (b) In an action brought during a pregnancy or within 2  
15 years after a child's birth, the judgment or order may direct  
16 the other party to the pregnancy or other intended parent  
17 ~~either parent~~ to pay 50% of pregnancy ~~the reasonable expenses,~~  
18 as defined in the Pregnancy Expenses Act, incurred by the  
19 pregnant person ~~either parent~~ or the Department of Healthcare  
20 and Family Services. However, the court, in its discretion,  
21 may direct the other party to the pregnancy or other intended  
22 parent to pay more than 50% of pregnancy expenses ~~related to~~  
23 ~~the mother's pregnancy and the delivery of the child.~~

24 (c) In the absence of an explicit order or judgment for the  
25 allocation of parental responsibilities, to the extent the  
26 court has authority under the Uniform Child-Custody

1        Jurisdiction and Enforcement Act or any other appropriate  
2        State law, the establishment of a child support obligation or  
3        the allocation of parenting time to one parent shall be  
4        construed as an order or judgment allocating all parental  
5        responsibilities to the other parent. If the parentage order  
6        or judgment contains no such provisions, all parental  
7        responsibilities shall be presumed to be allocated to the  
8        mother; however, the presumption shall not apply if the child  
9        has resided primarily with the other parent for at least 6  
10       months prior to the date that the mother seeks to enforce the  
11       order or judgment of parentage.

12                    (c-5) Notwithstanding the limitations regarding the  
13        establishment of custody under the Uniform Interstate Family  
14        Support Act, that Act is not exclusive, and custody/allocation  
15        of parental responsibilities may be determined concurrently  
16        under other appropriate State laws, where this determination  
17        may be validly made.

18                    (d) The court, if necessary to protect and promote the  
19        best interests of the child, may set aside a portion of the  
20        separately held estates of the parties in a separate fund or  
21        trust for the support, education, physical and mental health,  
22        and general welfare of a minor or mentally or physically  
23        disabled child of the parties.

24                    (e) The court may order child support payments to be made  
25        for a period prior to the commencement of the action. In  
26        determining whether and to what extent the payments shall be

1 made for the prior period, the court shall consider all  
2 relevant facts, including but not limited to:

3 (1) The factors for determining the amount of support  
4 specified in the Illinois Marriage and Dissolution of  
5 Marriage Act.

6 (2) The prior knowledge of the person obligated to pay  
7 support of the fact and circumstances of the child's  
8 birth.

9 (3) The father's prior willingness or refusal to help  
10 raise or support the child.

11 (4) The extent to which the mother or the public  
12 agency bringing the action previously informed the person  
13 obligated to pay support of the child's needs or attempted  
14 to seek or require the help of the person obligated to pay  
15 support in raising or supporting the child.

16 (5) The reasons the mother or the public agency did  
17 not file the action earlier.

18 (6) The extent to which the person obligated to pay  
19 support would be prejudiced by the delay in bringing the  
20 action.

21 For purposes of determining the amount of child support to  
22 be paid for the period before the date the order for current  
23 child support is entered, there is a rebuttable presumption  
24 that the net income of the person obligated to pay support for  
25 the prior period was the same as the net income of the person  
26 obligated to pay support at the time the order for current

1 child support is entered.

2       If (i) the person obligated to pay support was properly  
3 served with a request for discovery of financial information  
4 relating to the ability to provide child support of the person  
5 obligated to pay support; (ii) the person obligated to pay  
6 support failed to comply with the request, despite having been  
7 ordered to do so by the court; and (iii) the person obligated  
8 to pay support is not present at the hearing to determine  
9 support despite having received proper notice, then any  
10 relevant financial information concerning the ability to  
11 provide child support of the person obligated to pay support  
12 that was obtained pursuant to subpoena and proper notice shall  
13 be admitted into evidence without the need to establish any  
14 further foundation for its admission.

15       (f) A new or existing support order entered by the court  
16 under this Section shall be deemed to be a series of judgments  
17 against the person obligated to pay support thereunder, each  
18 judgment to be in the amount of each payment or installment of  
19 support and each judgment to be deemed entered as of the date  
20 the corresponding payment or installment becomes due under the  
21 terms of the support order. Each judgment shall have the full  
22 force, effect, and attributes of any other judgment of this  
23 State, including the ability to be enforced. A judgment under  
24 this Section is subject to modification or termination only in  
25 accordance with Section 510 of the Illinois Marriage and  
26 Dissolution of Marriage Act. Notwithstanding any State or

1 local law to the contrary, a lien arises by operation of law  
2 against the real and personal property of the noncustodial  
3 parent for each installment of overdue support owed by the  
4 noncustodial parent.

5 (g) If the judgment or order of the court is at variance  
6 with the child's birth certificate, the court shall order that  
7 a new birth certificate be issued under the Vital Records Act.

8 (h) On the request of both parents, the court shall order a  
9 change in the child's name.

10 (i) After hearing evidence, the court may stay payment of  
11 support during the period of the father's minority or period  
12 of disability.

13 (j) If, upon a showing of proper service, the father fails  
14 to appear in court or otherwise appear as provided by law, the  
15 court may proceed to hear the cause upon testimony of the  
16 mother or other parties taken in open court and shall enter a  
17 judgment by default. The court may reserve any order as to the  
18 amount of child support until the father has received notice,  
19 by regular mail, of a hearing on the matter.

20 (k) An order for support, when entered or modified, shall  
21 include a provision requiring the non-custodial parent to  
22 notify the court and, in cases in which a party is receiving  
23 child support enforcement services under Article X of the  
24 Illinois Public Aid Code, the Department of Healthcare and  
25 Family Services, within 7 days: (i) of the name and address of  
26 any new employer of the non-custodial parent; (ii) whether the

1 non-custodial parent has access to health insurance coverage  
2 through the employer or other group coverage and, if so, of the  
3 policy name and number and the names of adults and initials of  
4 minors covered under the policy; and (iii) of any new  
5 residential or mailing address or telephone number of the  
6 non-custodial parent. In a subsequent action to enforce a  
7 support order, upon a sufficient showing that a diligent  
8 effort has been made to ascertain the location of the  
9 non-custodial parent, service of process or provision of  
10 notice necessary in the case may be made at the last known  
11 address of the non-custodial parent in any manner expressly  
12 provided by this Act or the Code of Civil Procedure, and shall  
13 be sufficient for purposes of due process.

14 (1) An order for support shall include a date on which the  
15 current support obligation terminates. The termination date  
16 shall be no earlier than the date on which the child covered by  
17 the order will attain the age of 18. However, if the child will  
18 not graduate from high school until after attaining the age of  
19 18, then the termination date shall be no earlier than the  
20 earlier of the date on which the child's high school  
21 graduation will occur or the date on which the child will  
22 attain the age of 19. The order for support shall state that  
23 the termination date does not apply to any arrearage that may  
24 remain unpaid on that date. Nothing in this subsection shall  
25 be construed to prevent the court from modifying the order or  
26 terminating the order in the event the child is otherwise

1 emancipated.

2 (m) If there is an unpaid arrearage or delinquency (as  
3 those terms are defined in the Income Withholding for Support  
4 Act) equal to at least one month's support obligation on the  
5 termination date stated in the order for support or, if there  
6 is no termination date stated in the order, on the date the  
7 child attains the age of majority or is otherwise emancipated,  
8 the periodic amount required to be paid for current support of  
9 that child immediately prior to that date shall automatically  
10 continue to be an obligation, not as current support but as  
11 periodic payment toward satisfaction of the unpaid arrearage  
12 or delinquency. The periodic payment shall be in addition to  
13 any periodic payment previously required for satisfaction of  
14 the arrearage or delinquency. The total periodic amount to be  
15 paid toward satisfaction of the arrearage or delinquency may  
16 be enforced and collected by any method provided by law for  
17 enforcement and collection of child support, including but not  
18 limited to income withholding under the Income Withholding for  
19 Support Act. Each order for support entered or modified must  
20 contain a statement notifying the parties of the requirements  
21 of this subsection. Failure to include the statement in the  
22 order for support does not affect the validity of the order or  
23 the operation of the provisions of this subsection with regard  
24 to the order. This subsection shall not be construed to  
25 prevent or affect the establishment or modification of an  
26 order for support of a minor child or the establishment or

1 modification of an order for support of a non-minor child or  
2 educational expenses under Section 513 of the Illinois  
3 Marriage and Dissolution of Marriage Act.

4 (n) An order entered under this Section shall include a  
5 provision requiring the obligor to report to the obligee and  
6 to the clerk of court within 7 days each time the obligor  
7 obtains new employment, and each time the obligor's employment  
8 is terminated for any reason. The report shall be in writing  
9 and shall, in the case of new employment, include the name and  
10 address of the new employer. Failure to report new employment  
11 or the termination of current employment, if coupled with  
12 nonpayment of support for a period in excess of 60 days, is  
13 indirect criminal contempt. For an obligor arrested for  
14 failure to report new employment, bond shall be set in the  
15 amount of the child support that should have been paid during  
16 the period of unreported employment. An order entered under  
17 this Section shall also include a provision requiring the  
18 obligor and obligee parents to advise each other of a change in  
19 residence within 5 days of the change except when the court  
20 finds that the physical, mental, or emotional health of a  
21 party or that of a minor child, or both, would be seriously  
22 endangered by disclosure of the party's address.

23 (Source: P.A. 102-541, eff. 8-20-21.)

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