

1 AN ACT concerning State government.

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

4 Section 5. The Children and Family Services Act is amended
5 by changing Sections 9.1 and 9.3 as follows:

6 (20 ILCS 505/9.1) (from Ch. 23, par. 5009.1)

7 Sec. 9.1. The Department shall adopt rules no later than
8 January 1, 2026 regarding ~~The parents or guardians of the~~
9 ~~estates of children accepted for care and training under the~~
10 ~~Juvenile Court Act or the Juvenile Court Act of 1987, or~~
11 ~~through a voluntary placement agreement with the parents or~~
12 ~~guardians shall be liable for the payment to the Department,~~
13 ~~or to a licensed or approved child care facility designated by~~
14 ~~the Department of sums representing charges for the care and~~
15 ~~training of those children at a rate to be determined by the~~
16 ~~Department. The Department shall establish a standard by which~~
17 ~~shall be measured the ability of parents or guardians to pay~~
18 ~~for the care and training of their children, and shall~~
19 ~~implement the standard by rules governing its application. The~~
20 ~~standard and the rules shall take into account ability to pay~~
21 ~~as measured by annual income and family size. Medical or other~~
22 ~~treatment provided on behalf of the family may also be taken~~
23 ~~into account in determining ability to pay if the Department~~

1 ~~concludes that such treatment is appropriate. In addition, the~~
2 ~~Department may provide by rule for~~ referral of Title IV-E
3 foster care maintenance cases to the Department of Healthcare
4 and Family Services for child support enforcement services
5 under Title IV-D of the Social Security Act. It is the policy
6 of the State that in order to preserve the financial security
7 of a child's parent seeking reunification, the Department will
8 not refer cases for child support enforcement services or seek
9 an assignment of rights of child support regarding any child
10 prior to the permanency goal of return home being ruled out by
11 the court in accordance with the Juvenile Court Act of 1987.
12 The Department may refer cases for child support enforcement
13 services, consistent with rules, after the permanency goal of
14 return home has been ruled out by the court in accordance with
15 the Juvenile Court Act of 1987. The Department shall adopt
16 rules by January 1, 2026 establishing additional policies or
17 criteria to consider to ensure compliance with this Section
18 and federal law regarding referral for child support
19 enforcement or assignment of rights of child support for
20 children where a return home goal has been ruled out in
21 accordance with the Juvenile Court Act of 1987. The Department
22 shall consider "good cause" as defined in regulations
23 promulgated under Title IV-A of the Social Security Act, among
24 other criteria, when determining whether to refer a case and,
25 upon referral, the parent or guardian of ~~the estate of~~ a child
26 who is receiving Title IV-E foster care maintenance payments

1 shall be deemed to have made an assignment to the Department of
2 any and all rights, title and interest in any support
3 obligation on behalf of a child. The rights to support
4 assigned to the Department shall constitute an obligation owed
5 the State by the person who is responsible for providing the
6 support, and shall be collectible under all applicable
7 processes.

8 The acceptance of children for services or care shall not
9 be limited or conditioned in any manner on the financial
10 status or ability of parents or guardians to make such
11 payments.

12 (Source: P.A. 95-331, eff. 8-21-07.)

13 (20 ILCS 505/9.3) (from Ch. 23, par. 5009.3)

14 Sec. 9.3. Declarations by parents and guardians.
15 Information requested of parents and guardians shall be
16 submitted on forms or questionnaires prescribed by the
17 Department or units of local government as the case may be and
18 shall contain a written declaration to be signed by the parent
19 or guardian in substantially the following form:

20 "I declare under penalties of perjury that I have examined
21 this form or questionnaire and all accompanying statements or
22 documents pertaining to my income, or any other matter having
23 bearing upon my status and ability to provide payment for care
24 and training of my child, and to the best of my knowledge and
25 belief the information supplied is true, correct, and

1 complete".

2 A person who makes and subscribes a form or questionnaire
3 which contains, as herein above provided, a written
4 declaration that it is made under the penalties of perjury,
5 knowing it to be false, incorrect or incomplete, in respect to
6 any material statement or representative bearing upon the
7 parent's or guardian's status as a parent or guardian, or upon
8 the parent's or guardian's income, resources, or other matter
9 concerning the parent's or guardian's ability to provide
10 parental payment, shall be subject to the penalties for
11 perjury provided for in Section 32-2 of the Criminal Code of
12 2012.

13 Parents who refuse to provide such information after three
14 written requests from the Department will be liable to the
15 extent liability is consistent with the standards and rules
16 described in Section 9.1 ~~for the full cost of care provided,~~
17 ~~from the commencement of such care until the required~~
18 ~~information is received.~~

19 (Source: P.A. 103-22, eff. 8-8-23.)

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