



Sen. Lakesia Collins

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10300SB3367sam001

LRB103 37280 KTG 71375 a

1 AMENDMENT TO SENATE BILL 3367

2 AMENDMENT NO. _____. Amend Senate Bill 3367 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Children and Family Services Act is
5 amended 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~~

1 ~~shall be measured the ability of parents or guardians to pay~~
2 ~~for the care and training of their children, and shall~~
3 ~~implement the standard by rules governing its application. The~~
4 ~~standard and the rules shall take into account ability to pay~~
5 ~~as measured by annual income and family size. Medical or other~~
6 ~~treatment provided on behalf of the family may also be taken~~
7 ~~into account in determining ability to pay if the Department~~
8 ~~concludes that such treatment is appropriate. In addition, the~~
9 ~~Department may provide by rule for referral of Title IV-E~~
10 foster care maintenance cases to the Department of Healthcare
11 and Family Services for child support enforcement services
12 under Title IV-D of the Social Security Act. It is the policy
13 of the State that in order to preserve the financial security
14 of a child's parent seeking reunification, the Department will
15 not refer cases for child support enforcement services or seek
16 an assignment of rights of child support regarding any child
17 prior to the permanency goal of return home being ruled out by
18 the court in accordance with the Juvenile Court Act of 1987.
19 The Department may refer cases for child support enforcement
20 services, consistent with rules, after the permanency goal of
21 return home has been ruled out by the court in accordance with
22 the Juvenile Court Act of 1987. The Department shall adopt
23 rules by January 1, 2026 establishing additional policies or
24 criteria to consider to ensure compliance with this Section
25 and federal law regarding referral for child support
26 enforcement or assignment of rights of child support for

1 children where a return home goal has been ruled out in
2 accordance with the Juvenile Court Act of 1987. The Department
3 shall consider "good cause" as defined in regulations
4 promulgated under Title IV-A of the Social Security Act, among
5 other criteria, when determining whether to refer a case and,
6 upon referral, the parent or guardian of ~~the estate of~~ a child
7 who is receiving Title IV-E foster care maintenance payments
8 shall be deemed to have made an assignment to the Department of
9 any and all rights, title and interest in any support
10 obligation on behalf of a child. The rights to support
11 assigned to the Department shall constitute an obligation owed
12 the State by the person who is responsible for providing the
13 support, and shall be collectible under all applicable
14 processes.

15 The acceptance of children for services or care shall not
16 be limited or conditioned in any manner on the financial
17 status or ability of parents or guardians to make such
18 payments.

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

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

21 Sec. 9.3. Declarations by parents and guardians.
22 Information requested of parents and guardians shall be
23 submitted on forms or questionnaires prescribed by the
24 Department or units of local government as the case may be and
25 shall contain a written declaration to be signed by the parent

1 or guardian in substantially the following form:

2 "I declare under penalties of perjury that I have examined
3 this form or questionnaire and all accompanying statements or
4 documents pertaining to my income, or any other matter having
5 bearing upon my status and ability to provide payment for care
6 and training of my child, and to the best of my knowledge and
7 belief the information supplied is true, correct, and
8 complete".

9 A person who makes and subscribes a form or questionnaire
10 which contains, as herein above provided, a written
11 declaration that it is made under the penalties of perjury,
12 knowing it to be false, incorrect or incomplete, in respect to
13 any material statement or representative bearing upon the
14 parent's or guardian's status as a parent or guardian, or upon
15 the parent's or guardian's income, resources, or other matter
16 concerning the parent's or guardian's ability to provide
17 parental payment, shall be subject to the penalties for
18 perjury provided for in Section 32-2 of the Criminal Code of
19 2012.

20 Parents who refuse to provide such information after three
21 written requests from the Department will be liable to the
22 extent liability is consistent with the standards and rules
23 described in Section 9.1 ~~for the full cost of care provided,~~
24 ~~from the commencement of such care until the required~~
25 ~~information is received.~~

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

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