

1 AN ACT concerning children.

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
5 amended by changing Section 9.1 as follows:

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

7 Sec. 9.1. The parents or guardians of the estates of
8 children accepted for care and training under the Juvenile
9 Court Act or the Juvenile Court Act of 1987, or through a
10 voluntary placement agreement with the parents or guardians
11 shall be liable for the payment to the Department, or to a
12 licensed or approved child care facility designated by the
13 Department of sums representing charges for the care and
14 training of those children at a rate to be determined by the
15 Department. The Department shall establish a standard by
16 which shall be measured the ability of parents or guardians
17 to pay for the care and training of their children, and shall
18 implement the standard by rules governing its application.
19 The standard and the rules shall take into account ability to
20 pay as measured by annual income and family size. Medical or
21 other treatment provided on behalf of the family may also be
22 taken into account in determining ability to pay if the
23 Department concludes that such treatment is appropriate.

24 In addition, the Department may provide by rule for
25 referral of Title IV-E foster care maintenance cases to the
26 Department of Public Aid for child support enforcement
27 services under Title IV-D of the Social Security Act. The
28 Department shall consider "good cause" as defined in
29 regulations promulgated under Title IV-A of the Social
30 Security Act, among other criteria, when determining whether
31 to refer a case and, upon referral, the parent or guardian of

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

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

13 The parent or guardian of the estate of a child accepted
14 for care and training, without the parent's or guardian's
15 consent, under the Juvenile Court Act or the Juvenile Court
16 Act of 1987 shall not be liable for the payment to the
17 Department or to any child care facility of any charges for
18 the care and training of that child.

19 (Source: P.A. 92-590, eff. 7-1-02.)