

**SB0957**



**94TH GENERAL ASSEMBLY**

**State of Illinois**

**2005 and 2006**

**SB0957**

Introduced 2/18/2005, by Sen. Carol Ronen - Emil Jones, Jr.

**SYNOPSIS AS INTRODUCED:**

305 ILCS 5/10-1

from Ch. 23, par. 10-1

Amends the Illinois Public Aid Code. Makes a technical change in a Section concerning public policy with respect to the determination and enforcement of the support responsibility of relatives.

LRB094 04627 DRJ 34656 b

**A BILL FOR**

1 AN ACT concerning public aid.

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

4 Section 5. The Illinois Public Aid Code is amended by  
5 changing Section 10-1 as follows:

6 (305 ILCS 5/10-1) (from Ch. 23, par. 10-1)

7 Sec. 10-1. Declaration of Public Policy - Persons Eligible  
8 for Child Support Enforcement Services - Fees for  
9 Non-Applicants and ~~and~~ Non-Recipients.) It is the intent of  
10 this Code that the financial aid and social welfare services  
11 herein provided supplement rather than supplant the primary and  
12 continuing obligation of the family unit for self-support to  
13 the fullest extent permitted by the resources available to it.  
14 This primary and continuing obligation applies whether the  
15 family unit of parents and children or of husband and wife  
16 remains intact and resides in a common household or whether the  
17 unit has been broken by absence of one or more members of the  
18 unit. The obligation of the family unit is particularly  
19 applicable when a member is in necessitous circumstances and  
20 lacks the means of a livelihood compatible with health and  
21 well-being.

22 It is the purpose of this Article to provide for locating  
23 an absent parent or spouse, for determining his financial  
24 circumstances, and for enforcing his legal obligation of  
25 support, if he is able to furnish support, in whole or in part.  
26 The Illinois Department of Public Aid shall give priority to  
27 establishing, enforcing and collecting the current support  
28 obligation, and then to past due support owed to the family  
29 unit, except with respect to collections effected through the  
30 intercept programs provided for in this Article.

31 The child support enforcement services provided hereunder  
32 shall be furnished dependents of an absent parent or spouse who

1 are applicants for or recipients of financial aid under this  
2 Code. It is not, however, a condition of eligibility for  
3 financial aid that there be no responsible relatives who are  
4 reasonably able to provide support. Nor, except as provided in  
5 Sections 4-1.7 and 10-8, shall the existence of such relatives  
6 or their payment of support contributions disqualify a needy  
7 person for financial aid.

8 By accepting financial aid under this Code, a spouse or a  
9 parent or other person having custody of a child shall be  
10 deemed to have made assignment to the Illinois Department for  
11 aid under Articles III, IV, V and VII or to a local  
12 governmental unit for aid under Article VI of any and all  
13 rights, title, and interest in any support obligation up to the  
14 amount of financial aid provided. The rights to support  
15 assigned to the Illinois Department of Public Aid or local  
16 governmental unit shall constitute an obligation owed the State  
17 or local governmental unit by the person who is responsible for  
18 providing the support, and shall be collectible under all  
19 applicable processes.

20 The Illinois Department of Public Aid shall also furnish  
21 the child support enforcement services established under this  
22 Article in behalf of persons who are not applicants for or  
23 recipients of financial aid under this Code in accordance with  
24 the requirements of Title IV, Part D of the Social Security  
25 Act. The Department may establish a schedule of reasonable  
26 fees, to be paid for the services provided and may deduct a  
27 collection fee, not to exceed 10% of the amount collected, from  
28 such collection. The Illinois Department of Public Aid shall  
29 cause to be published and distributed publications reasonably  
30 calculated to inform the public that individuals who are not  
31 recipients of or applicants for public aid under this Code are  
32 eligible for the child support enforcement services under this  
33 Article X. Such publications shall set forth an explanation, in  
34 plain language, that the child support enforcement services  
35 program is independent of any public aid program under the Code  
36 and that the receiving of child support enforcement services in

1 no way implies that the person receiving such services is  
2 receiving public aid.

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