

AN ACT concerning State government.

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

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

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

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

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

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

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

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

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

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

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

complete".

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

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

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

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