

1 AN ACT in relation to support.

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 10-10.4 as follows:

6 (305 ILCS 5/10-10.4)

7 Sec. 10-10.4. Payment of support ~~Support~~ to State
8 Disbursement Unit.

9 (a) As used in this Section:

10 "Order for support", "obligor", "obligee", and "payor"
11 mean those terms as defined in the Income Withholding for
12 Support Act, except that "order for support" shall not mean
13 orders providing for spousal maintenance under which there is
14 no child support obligation.

15 (b) Notwithstanding any other provision of this Code to
16 the contrary, each court or administrative order for support
17 entered or modified on or after October 1, 1999 shall require
18 that support payments be made to the State Disbursement Unit
19 established under Section 10-26 if:

20 (1) a party to the order is receiving child and
21 spouse support services under this Article X; or

22 (2) no party to the order is receiving child and
23 spouse support services, but the support payments are
24 made through income withholding.

25 (c) Support payments shall be made to the State
26 Disbursement Unit if:

27 (1) the order for support was entered before
28 October 1, 1999, and a party to the order is receiving
29 child and spouse support services under this Article X;
30 or

31 (2) no party to the order is receiving child and

1 spouse support services, and the support payments are
2 being made through income withholding.

3 (c-5) If no party to the order is receiving child and
4 spouse support services under this Article X, and the support
5 payments are not being made through income withholding, then
6 support payments shall be made as directed in the order for
7 support.

8 (c-10) Within 15 days after the effective date of this
9 amendatory Act of the 91st General Assembly, the Illinois
10 Department shall provide written notice to the clerk of the
11 circuit court, the obligor, and, where applicable, the
12 obligor's payor to make payments to the State Disbursement
13 Unit if:

14 (1) the order for support was entered before
15 October 1, 1999, and a party to the order is receiving
16 child and spouse support services under this Article X;
17 or

18 (2) no party to the order is receiving child and
19 spouse support services, and the support payments are
20 being made through income withholding.

21 (c-15) Within 15 days after the effective date of this
22 amendatory Act of the 91st General Assembly, the clerk of the
23 circuit court shall provide written notice to the obligor to
24 make payments directly to the clerk of the circuit court if
25 no party to the order is receiving child and spouse support
26 services under this Article X, the support payments are not
27 made through income withholding, and the order for support
28 requires support payments to be made directly to the clerk of
29 the circuit court.

30 (c-20) If the State Disbursement Unit receives a support
31 payment that was not appropriately made to the Unit under
32 this Section, the Unit shall immediately return the payment
33 to the sender, including, if possible, instructions detailing
34 where to send the support payments.

1 (d) The notices required under subsections (c-10) and
2 (c-15) may be sent by ordinary mail, certified mail, return
3 receipt requested, facsimile transmission, or other
4 electronic process, or may be served upon the obligor or
5 payor using any method provided by law for service of a
6 summons. A copy of the notice shall be provided to the
7 obligee and, when the order for support was entered by the
8 court, to the clerk of the court.

9 (Source: P.A. 91-212, eff. 7-20-99; 91-677, eff. 1-5-00.)