

1 AMENDMENT TO SENATE BILL 163

2 AMENDMENT NO. _____. Amend Senate Bill 163 by replacing
3 the title with the following:

4 "AN ACT concerning public aid."; and

5 by replacing everything after the enacting clause with the
6 following:

7 "Section 5. The Illinois Public Aid Code is amended by
8 changing Sections 10-26 and 12-8.1 as follows:

9 (305 ILCS 5/10-26)

10 Sec. 10-26. State Disbursement Unit.

11 (a) Effective October 1, 1999 the Illinois Department
12 shall establish a State Disbursement Unit in accordance with
13 the requirements of Title IV-D of the Social Security Act.
14 The Illinois Department shall enter into an agreement with a
15 State or local governmental unit or private entity to perform
16 the functions of the State Disbursement Unit as set forth in
17 this Section. The State Disbursement Unit shall collect and
18 disburse support payments made under court and administrative
19 support orders:

20 (1) being enforced in cases in which child and
21 spouse support services are being provided under this

1 Article X; and

2 (2) in all cases in which child and spouse support
3 services are not being provided under this Article X and
4 in which support payments are made under the provisions
5 of the Income Withholding for Support Act.

6 (a-5) If the State Disbursement Unit receives a support
7 payment that was not appropriately made to the Unit under
8 this Section, the Unit shall immediately return the payment
9 to the sender, including, if possible, instructions detailing
10 where to send the support payments.

11 (b) All payments received by the State Disbursement
12 Unit:

13 (1) shall be deposited into an account obtained by
14 the State or local governmental unit or private entity,
15 as the case may be, and

16 (2) distributed and disbursed by the State
17 Disbursement Unit, in accordance with the directions of
18 the Illinois Department, pursuant to Title IV-D of the
19 Social Security Act and rules promulgated by the
20 Department.

21 (c) All support payments assigned to the Illinois
22 Department under Article X of this Code and rules promulgated
23 by the Illinois Department that are disbursed to the Illinois
24 Department by the State Disbursement Unit shall be paid into
25 the Child Support Enforcement Trust Fund.

26 (d) If the agreement with the State or local
27 governmental unit or private entity provided for in this
28 Section is not in effect for any reason, the Department shall
29 perform the functions of the State Disbursement Unit as set
30 forth in this Section for a maximum of 12 months before July
31 1, 2001, and for a maximum of 24 months after June 30, 2001.
32 If the Illinois Department is performing the functions of the
33 State Disbursement Unit on July 1, 2001, then the Illinois
34 Department shall make an award on or before December 31,

1 2002, to a State or local government unit or private entity
2 to perform the functions of the State Disbursement Unit.

3 Payments received by the Department in performance of the
4 duties of the State Disbursement Unit shall be deposited into
5 the State Disbursement Unit Revolving Fund established under
6 Section 12-8.1.

7 (e) By February 1, 2000, the Illinois Department shall
8 conduct at least 4 regional training and educational seminars
9 to educate the clerks of the circuit court on the general
10 operation of the State Disbursement Unit, the role of the
11 State Disbursement Unit, and the role of the clerks of the
12 circuit court in the collection and distribution of child
13 support payments.

14 (f) By March 1, 2000, the Illinois Department shall
15 conduct at least 4 regional educational and training seminars
16 to educate payors, as defined in the Income Withholding for
17 Support Act, on the general operation of the State
18 Disbursement Unit, the role of the State Disbursement Unit,
19 and the distribution of income withholding payments pursuant
20 to this Section and the Income Withholding for Support Act.

21 (Source: P.A. 91-212, eff. 7-20-99; 91-677, eff. 1-5-00;
22 91-712, eff. 7-1-00.)

23 (305 ILCS 5/12-8.1)

24 Sec. 12-8.1. State Disbursement Unit Revolving Fund.

25 (a) There is created a revolving fund to be known as the
26 State Disbursement Unit Revolving Fund, to be held by the
27 Director of the Illinois Department, outside the State
28 Treasury State--Treasurer--as--ex-officio--custodian, for the
29 following purposes:

30 (1) the deposit of all support payments received by
31 the Illinois Department's State Disbursement Unit; and

32 (2) the deposit of other funds including, but not
33 limited to, transfers of funds from other accounts

1 attributable to support payments received by the Illinois
2 Department's State Disbursement Unit;

3 (3) the deposit of any interest accrued by the
4 revolving fund, which interest shall be available for
5 payment of (i) any amounts considered to be Title IV-D
6 program income that must be paid to the U.S. Department
7 of Health and Human Services and (ii) any balance
8 remaining after payments made under item (i) of this
9 subsection (3) to the General Revenue Fund; however, the
10 disbursements under this subdivision (3) may not exceed
11 the amount of the interest accrued by the revolving fund;

12 (4) the disbursement of such payments to obligees
13 or to the assignees of the obligees in accordance with
14 the provisions of Title IV-D of the Social Security Act
15 and rules promulgated by the Department, provided that
16 such disbursement is based upon a payment by a payor or
17 obligor deposited into the revolving fund established by
18 this Section; and-

19 (5) the disbursement of funds to payors or obligors
20 to correct erroneous payments to the Illinois
21 Department's State Disbursement Unit, in an amount not to
22 exceed the erroneous payments.

23 (b) The provisions of this Section shall apply only if
24 the Department performs the functions of the Illinois
25 Department's State Disbursement Unit under paragraph (d) of
26 Section 10-26.

27 ~~(e)--Moneys-in-the-State-Disbursement-Unit-Revolving-Fund~~
28 ~~shall-be-expended-upon-the-direction-of-the-Director.~~

29 (Source: P.A. 91-712, eff. 7-1-00.)

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