

SB2044



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB2044

Introduced 2/7/2008, by Sen. Kirk W. Dillard

SYNOPSIS AS INTRODUCED:

750 ILCS 5/513

from Ch. 40, par. 513

Amends the Illinois Marriage and Dissolution of Marriage Act. Provides that in proceedings for the educational expenses of a child, unless the court finds that the child's safety would be jeopardized, each parent is entitled to know the name of the educational institution that the child attends. Provides that this provision applies to all orders entered on or after the effective date of this amendatory Act. Effective immediately.

LRB095 16336 AJO 42360 b

A BILL FOR

1 AN ACT concerning civil law.

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

4 Section 5. The Illinois Marriage and Dissolution of
5 Marriage Act is amended by changing Section 513 as follows:

6 (750 ILCS 5/513) (from Ch. 40, par. 513)

7 Sec. 513. Support for Non-minor Children and Educational
8 Expenses.

9 (a) The court may award sums of money out of the property
10 and income of either or both parties or the estate of a
11 deceased parent, as equity may require, for the support of the
12 child or children of the parties who have attained majority in
13 the following instances:

14 (1) When the child is mentally or physically disabled
15 and not otherwise emancipated, an application for support
16 may be made before or after the child has attained
17 majority.

18 (2) The court may also make provision for the
19 educational expenses of the child or children of the
20 parties, whether of minor or majority age, and an
21 application for educational expenses may be made before or
22 after the child has attained majority, or after the death
23 of either parent. The authority under this Section to make

1 provision for educational expenses extends not only to
2 periods of college education or professional or other
3 training after graduation from high school, but also to any
4 period during which the child of the parties is still
5 attending high school, even though he or she attained the
6 age of 19. The educational expenses may include, but shall
7 not be limited to, room, board, dues, tuition,
8 transportation, books, fees, registration and application
9 costs, medical expenses including medical insurance,
10 dental expenses, and living expenses during the school year
11 and periods of recess, which sums may be ordered payable to
12 the child, to either parent, or to the educational
13 institution, directly or through a special account or trust
14 created for that purpose, as the court sees fit.

15 If educational expenses are ordered payable, each
16 parent and the child shall sign any consents necessary for
17 the educational institution to provide the supporting
18 parent with access to the child's academic transcripts,
19 records, and grade reports. The consents shall not apply to
20 any non-academic records. Failure to execute the required
21 consent may be a basis for a modification or termination of
22 any order entered under this Section. Unless the court
23 specifically finds that the child's safety would be
24 jeopardized, each parent is entitled to know the name of
25 the educational institution the child attends. This
26 amendatory Act of the 95th General Assembly applies to all

1 orders entered under this paragraph (2) on or after the
2 effective date of this amendatory Act of the 95th General
3 Assembly.

4 The authority under this Section to make provision for
5 educational expenses, except where the child is mentally or
6 physically disabled and not otherwise emancipated,
7 terminates when the child receives a baccalaureate degree.

8 (b) In making awards under paragraph (1) or (2) of
9 subsection (a), or pursuant to a petition or motion to
10 decrease, modify, or terminate any such award, the court shall
11 consider all relevant factors that appear reasonable and
12 necessary, including:

13 (1) The financial resources of both parents.

14 (2) The standard of living the child would have enjoyed
15 had the marriage not been dissolved.

16 (3) The financial resources of the child.

17 (4) The child's academic performance.

18 (Source: P.A. 91-204, eff. 1-1-00; 92-876, eff. 6-1-03.)

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