



Rep. Monique D. Davis

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09600HB6450ham002

LRB096 21079 AJT 39239 a

1 AMENDMENT TO HOUSE BILL 6450

2 AMENDMENT NO. _____. Amend House Bill 6450 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by
5 changing Sections 7-702 and 7-702.1 as follows:

6 (625 ILCS 5/7-702)

7 Sec. 7-702. Suspension of driver's license for failure to
8 comply with order to pay support.

9 (a) The Secretary of State shall suspend the driver's
10 license issued to an obligor upon receiving an authenticated
11 report provided for in subsection (a) of Section 7-703, that
12 the person is 90 days or more delinquent in court ordered child
13 support payments or has been adjudicated in arrears in an
14 amount equal to 90 days obligation or more, and has been found
15 in contempt by the court for failure to pay the support.

16 (b) The Secretary of State shall suspend the driver's

1 license issued to an obligor upon receiving an authenticated
2 document provided for in subsection (b) of Section 7-703, that
3 the person has been adjudicated in arrears in court ordered
4 child support payments in an amount equal to 90 days obligation
5 or more, but has not been held in contempt of court, and that
6 the court has ordered that the person's driving privileges be
7 suspended. The obligor's driver's license shall be suspended
8 until such time as the Secretary of State receives
9 authenticated documentation that the obligor is in compliance
10 with the court order of support. When the obligor complies with
11 the court ordered child support payments, the circuit court
12 shall report the obligor's compliance with the court order of
13 support to the Secretary of State, on a form prescribed by the
14 Secretary of State, and shall order that the obligor's driver's
15 license be reinstated.

16 (c) The Secretary of State shall suspend a driver's license
17 upon certification by the Illinois Department of Healthcare and
18 Family Services, in a manner and form prescribed by the
19 Illinois Secretary of State, that the person licensed is 90
20 days or more delinquent in payment of support under an order of
21 support issued by a court or administrative body of this or any
22 other State. The Secretary of State may reinstate the person's
23 driver's license if notified by the Department of Healthcare
24 and Family Services that the person has paid the support
25 delinquency in full or has arranged for payment of the
26 delinquency and current support obligation in a manner

1 satisfactory to the Department of Healthcare and Family
2 Services.

3 Following the certification of delinquency or upon a motion
4 by the obligor who is subject to having his or her driver's
5 license suspended under this subsection, the Department of
6 Healthcare and Family Services may enter an order directing the
7 Secretary of State to issue a family financial responsibility
8 driving permit under the purposes and limitations set forth in
9 Section 7-702.1 of this Code. If the obligor is unemployed, the
10 Department may condition the grant of the permit upon
11 successful participation in job search, training, and work
12 programs established under Article IXA of the Illinois Public
13 Aid Code.

14 Upon entry of an order granting the issuance of a permit to
15 an obligor, the Department of Healthcare and Family Services
16 shall report this finding to the Secretary of State on a form
17 prescribed by the Secretary. This form shall state whether the
18 permit has been granted for employment or medical purposes and
19 the specific days and hours for which the limited driving
20 privileges have been granted.

21 The family financial responsibility driving permit shall
22 be subject to cancellation, invalidation, suspension, and
23 revocation by the Secretary of State in the same manner and for
24 the same reasons as a driver's license may be cancelled,
25 invalidated, suspended, or revoked.

26 The Secretary of State shall, upon receipt of a certified

1 order from the Department of Healthcare and Family Services,
2 issue a family financial responsibility driving permit. In
3 order for this permit to be issued, an individual's driving
4 privileges must be valid except for the family financial
5 responsibility suspension. This permit shall be valid only for
6 the employment and medical purpose as set forth in Section
7 7-702.1 of this Act. The permit shall state the days and hours
8 for which limited driving privileges have been granted.

9 Any submitted Department of Healthcare and Family Services
10 order that contains insufficient data or fails to comply with
11 any provision of this Code shall not be used for issuance of
12 the permit or entered to the individual's driving record but
13 shall be returned to the Department of Healthcare and Family
14 Services indicating why the permit cannot be issued at that
15 time. The Secretary of State shall also send notice of the
16 return of the Department of Healthcare and Family Services
17 order to the individual requesting the permit.

18 (Source: P.A. 95-685, eff. 10-23-07.)

19 (625 ILCS 5/7-702.1)

20 Sec. 7-702.1. Family financial responsibility driving
21 permits. Following the entry of an order that an obligor has
22 been found in contempt by the court for failure to pay court
23 ordered child support payments or upon a motion by the obligor
24 who is subject to having his or her driver's license suspended
25 pursuant to subsection (b) of Section 7-703, the court may

1 enter an order directing the Secretary of State to issue a
2 family financial responsibility driving permit for the purpose
3 of providing the obligor the privilege of operating a motor
4 vehicle between the obligor's residence and place of
5 employment, or within the scope of employment related duties;
6 or for the purpose of providing transportation for the obligor
7 or a household member to receive alcohol treatment, other drug
8 treatment, or medical care. If the obligor is unemployed, the
9 court may issue the order for the purpose of seeking
10 employment, which may be subject to the requirements set forth
11 in subsection (a) of Section 60 of the Non-Support Punishment
12 Act. Except upon a showing of good cause, any permit issued for
13 the purpose of seeking employment shall be limited to Monday
14 through Friday between the hours of 8 a.m. and 12 p.m. The
15 court may enter an order directing the issuance of a permit
16 only if the obligor has proven to the satisfaction of the court
17 that no alternative means of transportation are reasonably
18 available for the above stated purposes. No permit shall be
19 issued to a person under the age of 16 years who possesses an
20 instruction permit. In accordance with 49 C.F.R. Part 384, the
21 Secretary of State may not issue a family financial
22 responsibility driving permit to any person for the operation
23 of a commercial motor vehicle if the person's driving
24 privileges have been suspended under any provisions of this
25 Code.

26 Upon entry of an order granting the issuance of a permit to

1 an obligor, the court shall report this finding to the
2 Secretary of State on a form prescribed by the Secretary. This
3 form shall state whether the permit has been granted for
4 employment or medical purposes and the specific days and hours
5 for which limited driving privileges have been granted.

6 The family financial responsibility driving permit shall
7 be subject to cancellation, invalidation, suspension, and
8 revocation by the Secretary of State in the same manner and for
9 the same reasons as a driver's license may be cancelled,
10 invalidated, suspended, or revoked.

11 The Secretary of State shall, upon receipt of a certified
12 court order from the court of jurisdiction, issue a family
13 financial responsibility driving permit. In order for this
14 permit to be issued, an individual's driving privileges must be
15 valid except for the family financial responsibility
16 suspension. This permit shall be valid only for employment and
17 medical purposes as set forth above. The permit shall state the
18 days and hours for which limited driving privileges have been
19 granted.

20 Any submitted court order that contains insufficient data
21 or fails to comply with any provision of this Code shall not be
22 used for issuance of the permit or entered to the individual's
23 driving record but shall be returned to the court of
24 jurisdiction indicating why the permit cannot be issued at that
25 time. The Secretary of State shall also send notice of the
26 return of the court order to the individual requesting the

1 permit.

2 (Source: P.A. 94-307, eff. 9-30-05.)".