



Rep. Cynthia Soto

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09300HB4310ham001

LRB093 18967 DRJ 48566 a

1 AMENDMENT TO HOUSE BILL 4310

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4310 on page 1, line  
3 18, by replacing "30" with "90"; and

4 on page 2, line 15, by replacing "30" with "90"; and

5 on page 3, line 11, by replacing "30" with "90"; and

6 on page 4, lines 5 and 34, by replacing "30" each time it  
7 appears with "90"; and

8 on page 5, by replacing lines 19 through 28 with the following:

9

10 "(a) For purposes of this Section:

11 "Financial institution" and "account" are defined as set  
12 forth in Section 10-24.

13 "Payor" is defined as set forth in Section 15 of the Income  
14 Withholding for Support Act.

15 "Order for support" means any order for periodic payment of  
16 funds to the State Disbursement Unit for the support of a child  
17 or, where applicable, for support of a child and a parent with  
18 whom the child resides, that is entered or modified under this  
19 Code or under the Illinois Marriage and Dissolution of Marriage  
20 Act, the Non-Support of Spouse and Children Act, the  
21 Non-Support Punishment Act, or the Illinois Parentage Act of  
22 1984, or that is entered or registered for modification or

1 enforcement under the Uniform Interstate Family Support Act.

2 "Obligor" means an individual who owes a duty to make  
3 payments under an order for support in a case in which child  
4 support enforcement services are being provided under this  
5 Article X."; and

6 on page 6, by replacing lines 13 through 30 with the following:

7 "(c) An obligor who does not have a payor may sign a child  
8 support debit authorization form adopted by the Department  
9 under this Section. The obligor may sign a form in relation to  
10 any or all of the financial institutions holding an account on  
11 the obligor's behalf. Promptly after an obligor signs a child  
12 support debit authorization form, the Department shall send the  
13 original signed form to the appropriate financial institution.  
14 Subject to subsection (e), upon receiving the form, the  
15 financial institution shall debit the account and transfer the  
16 debited amounts to the State Disbursement Unit according to the  
17 instructions in the form. A financial institution that complies  
18 with a child support debit authorization form signed by an  
19 obligor and issued under this Section shall not be subject to  
20 civil liability with respect to any individual or any agency.

21 (d) The signing and issuance of a child support debit  
22 authorization form under this Section does not relieve the  
23 obligor from responsibility for compliance with any  
24 requirement under the order for support.

25 (e) A financial institution is obligated to debit the  
26 account of an obligor pursuant to this Section only if or to  
27 the extent:

28 (1) the financial institution reasonably believes the  
29 debit authorization form is a true and authentic original  
30 document;

31 (2) there are finally collected funds in the account;  
32 and

33 (3) the account is not subject to offsetting claims of

1       the financial institution, whether due at the time of  
2       receipt of the debit authorization form or thereafter to  
3       become due and whether liquidated or unliquidated.

4       To the extent the account of the obligor is pledged or held  
5       by the financial institution as security for a loan or other  
6       obligation, or that the financial institution has any other  
7       claim or lien against the account, the financial institution is  
8       entitled to retain the account."; and

9       by deleting lines 31 through 34 on page 6, all of pages 7 and 8,  
10      and lines 1 through 27 on page 9.