



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB6075

Introduced 2/11/2016, by Rep. Eddie Lee Jackson, Sr.

SYNOPSIS AS INTRODUCED:

625 ILCS 5/7-702

625 ILCS 5/7-702.1

750 ILCS 5/505

from Ch. 40, par. 505

Amends the Illinois Vehicle Code. Provides the Secretary of State shall issue a family financial responsibility driving permit that would allow limited driving privileges for employment and medical purposes for any person whose license was ordered suspended by the court or the Department of Healthcare and Family Services for delinquency in child support payments. Amends the Illinois Marriage and Dissolution of Marriage Act. Makes conforming changes. Effective immediately.

LRB099 19845 AXK 44244 b

1 AN ACT concerning transportation.

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

4 Section 5. The Illinois Vehicle Code is amended by changing
5 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 or to comply with a visitation
9 order.

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

19 (b) The Secretary of State shall suspend the driver's
20 license issued to an obligor and issue a family financial
21 responsibility driving permit to the obligor, upon receiving an
22 authenticated document provided for in subsection (b) of
23 Section 7-703, that the person has been adjudicated in arrears

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

13 (c) The Secretary of State shall suspend a driver's license
14 and issue a family financial responsibility driving permit
15 under subsection (b) of Section 7-702.1, upon certification by
16 the Illinois Department of Healthcare and Family Services, in a
17 manner and form prescribed by the Illinois Secretary of State,
18 that the person licensed is 90 days or more delinquent in
19 payment of support under an order of support issued by a court
20 or administrative body of this or any other State. The
21 Secretary of State may reinstate the person's driver's license
22 if notified by the Department of Healthcare and Family Services
23 that the person has paid the support delinquency in full or has
24 arranged for payment of the delinquency and current support
25 obligation in a manner satisfactory to the Department of
26 Healthcare and Family Services.

1 (d) The Secretary of State shall suspend the driver's
2 license issued to a person upon receiving an authenticated
3 document provided for in Section 7-703 that the person has been
4 adjudicated as having engaged in visitation abuse and that the
5 court has ordered that the person's driving privileges be
6 suspended. The person's driver's license shall be suspended
7 until such time as the Secretary of State receives
8 authenticated documentation that the court has determined that
9 there has been sufficient compliance for a sufficient period of
10 time with the court's order concerning visitation and that full
11 driving privileges shall be reinstated. When the court order in
12 which the court has determined that there has been sufficient
13 compliance for a sufficient period of time with the court's
14 order concerning visitation and that full driving privileges
15 shall be reinstated, the circuit court shall report that order
16 concerning visitation to the Secretary of State, on a form
17 prescribed by the Secretary of State, and shall order that the
18 person's driver's license be reinstated.

19 (Source: P.A. 97-1047, eff. 8-21-12.)

20 (625 ILCS 5/7-702.1)

21 Sec. 7-702.1. Family financial responsibility driving
22 permits.

23 (a) ~~A Following the entry of an order that an obligor has~~
24 ~~been found in contempt by the court for failure to pay court~~
25 ~~ordered child support payments or upon a motion by the obligor~~

1 ~~who is subject to having his or her driver's license suspended~~
2 ~~pursuant to subsection (b) of Section 7-703, the court may~~
3 ~~enter an order directing the Secretary of State to issue a~~
4 family financial responsibility driving permit issued under
5 this Article shall be for the purpose of providing the obligor
6 the privilege of operating a motor vehicle: (1) between the
7 obligor's residence and place of employment; (2) ~~, or~~ within
8 the scope of employment related duties; (3) ~~or~~ for the purpose
9 of providing transportation for the obligor or a household
10 member to receive alcohol treatment, other drug treatment, or
11 medical care; and (4) if ~~. If the obligor is unemployed, the~~
12 ~~court may issue the order~~ for the purpose of seeking
13 employment, which may be subject to the requirements set forth
14 in subsection (a) of Section 505.1 of the Illinois Marriage and
15 Dissolution of Marriage Act. Any permit used ~~Except upon a~~
16 ~~showing of good cause, any permit issued~~ for the purpose of
17 seeking employment shall be limited to Monday through Friday
18 between the hours of 8 a.m. and 12 p.m. ~~The court may enter an~~
19 ~~order directing the issuance of a permit only if the obligor~~
20 ~~has proven to the satisfaction of the court that no alternative~~
21 ~~means of transportation are reasonably available for the above~~
22 ~~stated purposes.~~ No permit shall be issued to a person under
23 the age of 16 years who possesses an instruction permit.

24 The permit shall state the purposes ~~Upon entry of an order~~
25 ~~granting the issuance of a permit to an obligor, the court~~
26 ~~shall report this finding to the Secretary of State on a form~~

1 ~~prescribed by the Secretary. This form shall state whether the~~
2 ~~permit has been granted for employment or medical purposes and~~
3 ~~the specific days and hours for which limited driving~~
4 privileges have been granted.

5 (a-1) Following the entry of an order that a person has
6 been found in contempt by the court for failure to follow a
7 visitation order, the court may enter an order directing the
8 Secretary of State to issue a family responsibility driving
9 permit for the purpose of providing the person the privilege of
10 operating a motor vehicle between the person's residence and
11 place of employment or within the scope of employment related
12 duties, or for the purpose of providing transportation for the
13 person or a household member to receive alcohol treatment,
14 other drug treatment, or medical care. If the person is
15 unemployed, the court may issue the order for the purpose of
16 seeking employment, which may be subject to the requirements
17 set forth in subsection (a) of Section 505.1 of the Illinois
18 Marriage and Dissolution of Marriage Act. Except upon a showing
19 of good cause, any permit issued for the purpose of seeking
20 employment shall be limited to Monday through Friday between
21 the hours of 8 a.m. and 12 p.m. The court may enter an order
22 directing the issuance of a permit only if the person has
23 proven to the satisfaction of the court that no alternative
24 means of transportation are reasonably available for the above
25 stated purposes. No permit shall be issued to a person under
26 the age of 16 years who possesses an instruction permit. Upon

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

7 (a-2) Except for delinquency in court ordered child support
8 payments, the ~~The~~ family financial responsibility driving
9 permit shall be subject to cancellation, invalidation,
10 suspension, and revocation by the Secretary of State in the
11 same manner and for the same reasons as a driver's license may
12 be cancelled, invalidated, suspended, or revoked.

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

23 ~~Any submitted court order that contains insufficient data~~
24 ~~or fails to comply with any provision of this Code shall not be~~
25 ~~used for issuance of the permit or entered to the individual's~~
26 ~~driving record but shall be returned to the court of~~

1 ~~jurisdiction indicating why the permit cannot be issued at that~~
2 ~~time. The Secretary of State shall also send notice of the~~
3 ~~return of the court order to the individual requesting the~~
4 ~~permit.~~

5 (b) Following certification of delinquency pursuant to
6 subsection (c) of Section 7-702 of this Code by ~~, and upon~~
7 ~~petition by the obligor whose driver's license has been~~
8 ~~suspended under that subsection,~~ the Department of Healthcare
9 and Family Services, ~~may direct~~ the Secretary of State shall ~~to~~
10 issue a family financial responsibility driving permit for the
11 purpose of providing the obligor the privilege of operating a
12 motor vehicle: (1) between the obligor's residence and place of
13 employment; (2) ~~, or~~ within the scope of employment related
14 duties; (3) ~~, or~~ for the purpose of providing transportation
15 for the obligor or a household member to receive alcohol
16 treatment, other drug treatment, or medical care; and (4) if ~~-~~
17 ~~If~~ the obligor is unemployed, ~~the Department of Healthcare and~~
18 ~~Family Services may direct the issuance of the permit~~ for the
19 purpose of seeking employment, which may be subject to the
20 requirements set forth in subsection (a) of Section 505.1 of
21 the Illinois Marriage and Dissolution of Marriage Act. Any
22 permit used ~~Except upon a showing of good cause, any permit~~
23 ~~issued~~ for the purpose of seeking employment shall be limited
24 to Monday through Friday between the hours of 8 a.m. and 12
25 p.m. ~~The Department of Healthcare and Family Services may~~
26 ~~direct the issuance of a permit only if the obligor has proven~~

1 ~~to the Department's satisfaction that no alternative means of~~
2 ~~transportation is reasonably available for the above stated~~
3 ~~purposes.~~

4 ~~The Department of Healthcare and Family Services shall~~
5 ~~report to the Secretary of State the finding granting a permit~~
6 ~~on a form prescribed by the Secretary of State. The form shall~~
7 ~~state the purpose for which the permit has been granted, the~~
8 ~~specific days and hours for which limited driving privileges~~
9 ~~are allowed, and the duration of the permit.~~

10 Except for delinquency in child support payments, the ~~The~~
11 family financial responsibility driving permit shall be
12 subject to cancellation, invalidation, suspension, and
13 revocation by the Secretary of State in the same manner and for
14 the same reasons as a driver's license may be cancelled,
15 invalidated, suspended, or revoked.

16 The ~~As directed by the Department of Healthcare and Family~~
17 ~~Services, the~~ Secretary of State shall issue a family financial
18 responsibility driving permit, but only if the obligor's
19 driving privileges are valid except for the family financial
20 responsibility suspension. The permit shall state the purposes
21 ~~the purpose or purposes for which it was granted under this~~
22 ~~subsection, the specific days and hours~~ for which limited
23 driving privileges are allowed, ~~and the duration of the permit.~~

24 ~~If the Department of Healthcare and Family Services~~
25 ~~directive to issue a family financial responsibility driving~~
26 ~~permit contains insufficient data or fails to comply with any~~

1 ~~provision of this Code, a permit shall not be issued and the~~
2 ~~directive shall be returned to the Department of Healthcare and~~
3 ~~Family Services. The Secretary of State shall also send notice~~
4 ~~of the return of the Department's directive to the obligor~~
5 ~~requesting the permit.~~

6 (c) In accordance with 49 C.F.R. Part 384, the Secretary of
7 State may not issue a family financial responsibility driving
8 permit to any person for the operation of a commercial motor
9 vehicle if the person's driving privileges have been suspended
10 under any provisions of this Code.

11 (Source: P.A. 96-1284, eff. 1-1-11; 97-1047, eff. 8-21-12.)

12 Section 10. The Illinois Marriage and Dissolution of
13 Marriage Act is amended by changing Section 505 as follows:

14 (750 ILCS 5/505) (from Ch. 40, par. 505)

15 Sec. 505. Child support; contempt; penalties.

16 (a) In a proceeding for dissolution of marriage, legal
17 separation, declaration of invalidity of marriage, a
18 proceeding for child support following dissolution of the
19 marriage by a court that lacked personal jurisdiction over the
20 absent spouse, a proceeding for modification of a previous
21 order for child support under Section 510 of this Act, or any
22 proceeding authorized under Section 501 or 601 of this Act, the
23 court may order either or both parents owing a duty of support
24 to a child of the marriage to pay an amount reasonable and

1 necessary for the support of the child, without regard to
 2 marital misconduct. The duty of support owed to a child
 3 includes the obligation to provide for the reasonable and
 4 necessary educational, physical, mental and emotional health
 5 needs of the child. For purposes of this Section, the term
 6 "child" shall include any child under age 18 and any child
 7 under age 19 who is still attending high school. For purposes
 8 of this Section, the term "supporting parent" means the parent
 9 obligated to pay support to the other parent.

10 (1) The Court shall determine the minimum amount of
 11 support by using the following guidelines:

Number of Children	Percent of Supporting Party's Net Income
1	20%
2	28%
3	32%
4	40%
5	45%
6 or more	50%

20 (2) The above guidelines shall be applied in each case
 21 unless the court finds that a deviation from the guidelines
 22 is appropriate after considering the best interest of the
 23 child in light of the evidence, including, but not limited
 24 to, one or more of the following relevant factors:

- (a) the financial resources and needs of the child;
- (b) the financial resources and needs of the

1 parents;

2 (c) the standard of living the child would have
3 enjoyed had the marriage not been dissolved;

4 (d) the physical, mental, and emotional needs of
5 the child; and

6 (d-5) the educational needs of the child.

7 If the court deviates from the guidelines, the court's
8 finding shall state the amount of support that would have
9 been required under the guidelines, if determinable. The
10 court shall include the reason or reasons for the variance
11 from the guidelines.

12 (2.5) The court, in its discretion, in addition to
13 setting child support pursuant to the guidelines and
14 factors, may order either or both parents owing a duty of
15 support to a child of the marriage to contribute to the
16 following expenses, if determined by the court to be
17 reasonable:

18 (a) health needs not covered by insurance;

19 (b) child care;

20 (c) education; and

21 (d) extracurricular activities.

22 (3) "Net income" is defined as the total of all income
23 from all sources, minus the following deductions:

24 (a) Federal income tax (properly calculated
25 withholding or estimated payments);

26 (b) State income tax (properly calculated

1 withholding or estimated payments);

2 (c) Social Security (FICA payments);

3 (d) Mandatory retirement contributions required by
4 law or as a condition of employment;

5 (e) Union dues;

6 (f) Dependent and individual
7 health/hospitalization insurance premiums and premiums
8 for life insurance ordered by the court to reasonably
9 secure payment of ordered child support;

10 (g) Prior obligations of support or maintenance
11 actually paid pursuant to a court order;

12 (g-5) Obligations pursuant to a court order for
13 maintenance in the pending proceeding actually paid or
14 payable under Section 504 to the same party to whom
15 child support is to be payable;

16 (h) Expenditures for repayment of debts that
17 represent reasonable and necessary expenses for the
18 production of income including, but not limited to,
19 student loans, medical expenditures necessary to
20 preserve life or health, reasonable expenditures for
21 the benefit of the child and the other parent,
22 exclusive of gifts. The court shall reduce net income
23 in determining the minimum amount of support to be
24 ordered only for the period that such payments are due
25 and shall enter an order containing provisions for its
26 self-executing modification upon termination of such

1 payment period;

2 (i) Foster care payments paid by the Department of
3 Children and Family Services for providing licensed
4 foster care to a foster child.

5 (4) In cases where the court order provides for
6 health/hospitalization insurance coverage pursuant to
7 Section 505.2 of this Act, the premiums for that insurance,
8 or that portion of the premiums for which the supporting
9 party is responsible in the case of insurance provided
10 through an employer's health insurance plan where the
11 employer pays a portion of the premiums, shall be
12 subtracted from net income in determining the minimum
13 amount of support to be ordered.

14 (4.5) In a proceeding for child support following
15 dissolution of the marriage by a court that lacked personal
16 jurisdiction over the absent spouse, and in which the court
17 is requiring payment of support for the period before the
18 date an order for current support is entered, there is a
19 rebuttable presumption that the supporting party's net
20 income for the prior period was the same as his or her net
21 income at the time the order for current support is
22 entered.

23 (5) If the net income cannot be determined because of
24 default or any other reason, the court shall order support
25 in an amount considered reasonable in the particular case.
26 The final order in all cases shall state the support level

1 in dollar amounts. However, if the court finds that the
2 child support amount cannot be expressed exclusively as a
3 dollar amount because all or a portion of the supporting
4 parent's net income is uncertain as to source, time of
5 payment, or amount, the court may order a percentage amount
6 of support in addition to a specific dollar amount and
7 enter such other orders as may be necessary to determine
8 and enforce, on a timely basis, the applicable support
9 ordered.

10 (6) If (i) the supporting parent was properly served
11 with a request for discovery of financial information
12 relating to the supporting parent's ability to provide
13 child support, (ii) the supporting parent failed to comply
14 with the request, despite having been ordered to do so by
15 the court, and (iii) the supporting parent is not present
16 at the hearing to determine support despite having received
17 proper notice, then any relevant financial information
18 concerning the supporting parent's ability to provide
19 child support that was obtained pursuant to subpoena and
20 proper notice shall be admitted into evidence without the
21 need to establish any further foundation for its admission.

22 (a-5) In an action to enforce an order for support based on
23 the respondent's failure to make support payments as required
24 by the order, notice of proceedings to hold the respondent in
25 contempt for that failure may be served on the respondent by
26 personal service or by regular mail addressed to the

1 respondent's last known address. The respondent's last known
2 address may be determined from records of the clerk of the
3 court, from the Federal Case Registry of Child Support Orders,
4 or by any other reasonable means.

5 (b) Failure of either parent to comply with an order to pay
6 support shall be punishable as in other cases of contempt. In
7 addition to other penalties provided by law the Court may,
8 after finding the parent guilty of contempt, order that the
9 parent be:

10 (1) placed on probation with such conditions of
11 probation as the Court deems advisable;

12 (2) sentenced to periodic imprisonment for a period not
13 to exceed 6 months; provided, however, that the Court may
14 permit the parent to be released for periods of time during
15 the day or night to:

16 (A) work; or

17 (B) conduct a business or other self-employed
18 occupation.

19 The Court may further order any part or all of the earnings
20 of a parent during a sentence of periodic imprisonment paid to
21 the Clerk of the Circuit Court or to the parent receiving the
22 support or to the guardian receiving the support of the
23 children of the sentenced parent for the support of said
24 children until further order of the Court.

25 If a parent who is found guilty of contempt for failure to
26 comply with an order to pay support is a person who conducts a

1 business or who is self-employed, the court in addition to
2 other penalties provided by law may order that the parent do
3 one or more of the following: (i) provide to the court monthly
4 financial statements showing income and expenses from the
5 business or the self-employment; (ii) seek employment and
6 report periodically to the court with a diary, listing, or
7 other memorandum of his or her employment search efforts; or
8 (iii) report to the Department of Employment Security for job
9 search services to find employment that will be subject to
10 withholding for child support.

11 If there is a unity of interest and ownership sufficient to
12 render no financial separation between a supporting parent and
13 another person or persons or business entity, the court may
14 pierce the ownership veil of the person, persons, or business
15 entity to discover assets of the supporting parent held in the
16 name of that person, those persons, or that business entity.
17 The following circumstances are sufficient to authorize a court
18 to order discovery of the assets of a person, persons, or
19 business entity and to compel the application of any discovered
20 assets toward payment on the judgment for support:

21 (1) the supporting parent and the person, persons, or
22 business entity maintain records together.

23 (2) the supporting parent and the person, persons, or
24 business entity fail to maintain an arm's length
25 relationship between themselves with regard to any assets.

26 (3) the supporting parent transfers assets to the

1 person, persons, or business entity with the intent to
2 perpetrate a fraud on the parent receiving the support.

3 With respect to assets which are real property, no order
4 entered under this paragraph shall affect the rights of bona
5 fide purchasers, mortgagees, judgment creditors, or other lien
6 holders who acquire their interests in the property prior to
7 the time a notice of lis pendens pursuant to the Code of Civil
8 Procedure or a copy of the order is placed of record in the
9 office of the recorder of deeds for the county in which the
10 real property is located.

11 The court may also order in cases where the parent is 90
12 days or more delinquent in payment of support or has been
13 adjudicated in arrears in an amount equal to 90 days obligation
14 or more, that the parent's Illinois driving privileges be
15 suspended until the court determines that the parent is in
16 compliance with the order of support. ~~The court may also order~~
17 ~~that the parent be issued a family financial responsibility~~
18 ~~driving permit that would allow limited driving privileges for~~
19 ~~employment and medical purposes in accordance with Section~~
20 ~~7-702.1 of the Illinois Vehicle Code.~~ The clerk of the circuit
21 court shall certify the order suspending the driving privileges
22 of the parent ~~or granting the issuance of a family financial~~
23 ~~responsibility driving permit~~ to the Secretary of State on
24 forms prescribed by the Secretary. Upon receipt of the
25 authenticated documents, the Secretary of State shall suspend
26 the parent's driving privileges until further order of the

1 court and shall, ~~if ordered by the court,~~ subject to the
2 provisions of Section 7-702.1 of the Illinois Vehicle Code,
3 issue a family financial responsibility driving permit to the
4 parent.

5 In addition to the penalties or punishment that may be
6 imposed under this Section, any person whose conduct
7 constitutes a violation of Section 15 of the Non-Support
8 Punishment Act may be prosecuted under that Act, and a person
9 convicted under that Act may be sentenced in accordance with
10 that Act. The sentence may include but need not be limited to a
11 requirement that the person perform community service under
12 Section 50 of that Act or participate in a work alternative
13 program under Section 50 of that Act. A person may not be
14 required to participate in a work alternative program under
15 Section 50 of that Act if the person is currently participating
16 in a work program pursuant to Section 505.1 of this Act.

17 A support obligation, or any portion of a support
18 obligation, which becomes due and remains unpaid as of the end
19 of each month, excluding the child support that was due for
20 that month to the extent that it was not paid in that month,
21 shall accrue simple interest as set forth in Section 12-109 of
22 the Code of Civil Procedure. An order for support entered or
23 modified on or after January 1, 2006 shall contain a statement
24 that a support obligation required under the order, or any
25 portion of a support obligation required under the order, that
26 becomes due and remains unpaid as of the end of each month,

1 excluding the child support that was due for that month to the
2 extent that it was not paid in that month, shall accrue simple
3 interest as set forth in Section 12-109 of the Code of Civil
4 Procedure. Failure to include the statement in the order for
5 support does not affect the validity of the order or the
6 accrual of interest as provided in this Section.

7 (c) A one-time charge of 20% is imposable upon the amount
8 of past-due child support owed on July 1, 1988 which has
9 accrued under a support order entered by the court. The charge
10 shall be imposed in accordance with the provisions of Section
11 10-21 of the Illinois Public Aid Code and shall be enforced by
12 the court upon petition.

13 (d) Any new or existing support order entered by the court
14 under this Section shall be deemed to be a series of judgments
15 against the person obligated to pay support thereunder, each
16 such judgment to be in the amount of each payment or
17 installment of support and each such judgment to be deemed
18 entered as of the date the corresponding payment or installment
19 becomes due under the terms of the support order. Each such
20 judgment shall have the full force, effect and attributes of
21 any other judgment of this State, including the ability to be
22 enforced. Notwithstanding any other State or local law to the
23 contrary, a lien arises by operation of law against the real
24 and personal property of the supporting parent for each
25 installment of overdue support owed by the supporting parent.

26 (e) When child support is to be paid through the clerk of

1 the court in a county of 1,000,000 inhabitants or less, the
2 order shall direct the supporting parent to pay to the clerk,
3 in addition to the child support payments, all fees imposed by
4 the county board under paragraph (3) of subsection (u) of
5 Section 27.1 of the Clerks of Courts Act. Unless paid in cash
6 or pursuant to an order for withholding, the payment of the fee
7 shall be by a separate instrument from the support payment and
8 shall be made to the order of the Clerk.

9 (f) All orders for support, when entered or modified, shall
10 include a provision requiring the supporting parent to notify
11 the court and, in cases in which a party is receiving child and
12 spouse services under Article X of the Illinois Public Aid
13 Code, the Department of Healthcare and Family Services, within
14 7 days, (i) of the name and address of any new employer of the
15 obligor, (ii) whether the supporting parent has access to
16 health insurance coverage through the employer or other group
17 coverage and, if so, the policy name and number and the names
18 of persons covered under the policy, except only the initials
19 of any covered minors shall be included, and (iii) of any new
20 residential or mailing address or telephone number of the
21 supporting parent. In any subsequent action to enforce a
22 support order, upon a sufficient showing that a diligent effort
23 has been made to ascertain the location of the supporting
24 parent, service of process or provision of notice necessary in
25 the case may be made at the last known address of the
26 supporting parent in any manner expressly provided by the Code

1 of Civil Procedure or this Act, which service shall be
2 sufficient for purposes of due process.

3 (g) An order for support shall include a date on which the
4 current support obligation terminates. The termination date
5 shall be no earlier than the date on which the child covered by
6 the order will attain the age of 18. However, if the child will
7 not graduate from high school until after attaining the age of
8 18, then the termination date shall be no earlier than the
9 earlier of the date on which the child's high school graduation
10 will occur or the date on which the child will attain the age
11 of 19. The order for support shall state that the termination
12 date does not apply to any arrearage that may remain unpaid on
13 that date. Nothing in this subsection shall be construed to
14 prevent the court from modifying the order or terminating the
15 order in the event the child is otherwise emancipated.

16 (g-5) If there is an unpaid arrearage or delinquency (as
17 those terms are defined in the Income Withholding for Support
18 Act) equal to at least one month's support obligation on the
19 termination date stated in the order for support or, if there
20 is no termination date stated in the order, on the date the
21 child attains the age of majority or is otherwise emancipated,
22 the periodic amount required to be paid for current support of
23 that child immediately prior to that date shall automatically
24 continue to be an obligation, not as current support but as
25 periodic payment toward satisfaction of the unpaid arrearage or
26 delinquency. That periodic payment shall be in addition to any

1 periodic payment previously required for satisfaction of the
2 arrearage or delinquency. The total periodic amount to be paid
3 toward satisfaction of the arrearage or delinquency may be
4 enforced and collected by any method provided by law for
5 enforcement and collection of child support, including but not
6 limited to income withholding under the Income Withholding for
7 Support Act. Each order for support entered or modified on or
8 after the effective date of this amendatory Act of the 93rd
9 General Assembly must contain a statement notifying the parties
10 of the requirements of this subsection. Failure to include the
11 statement in the order for support does not affect the validity
12 of the order or the operation of the provisions of this
13 subsection with regard to the order. This subsection shall not
14 be construed to prevent or affect the establishment or
15 modification of an order for support of a minor child or the
16 establishment or modification of an order for support of a
17 non-minor child or educational expenses under Section 513 of
18 this Act.

19 (h) An order entered under this Section shall include a
20 provision requiring either parent to report to the other parent
21 and to the clerk of court within 10 days each time either
22 parent obtains new employment, and each time either parent's
23 employment is terminated for any reason. The report shall be in
24 writing and shall, in the case of new employment, include the
25 name and address of the new employer. Failure to report new
26 employment or the termination of current employment, if coupled

1 with nonpayment of support for a period in excess of 60 days,
2 is indirect criminal contempt. For either parent arrested for
3 failure to report new employment bond shall be set in the
4 amount of the child support that should have been paid during
5 the period of unreported employment. An order entered under
6 this Section shall also include a provision requiring either
7 parent to advise the other of a change in residence within 5
8 days of the change except when the court finds that the
9 physical, mental, or emotional health of a party or that of a
10 child, or both, would be seriously endangered by disclosure of
11 the party's address.

12 (i) The court does not lose the powers of contempt,
13 driver's license suspension, or other child support
14 enforcement mechanisms, including, but not limited to,
15 criminal prosecution as set forth in this Act, upon the
16 emancipation of the minor child or children.

17 (Source: P.A. 98-463, eff. 8-16-13; 98-961, eff. 1-1-15; 99-90,
18 eff. 1-1-16.)

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