

SB0421



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

SB0421

Introduced 1/28/2015, by Sen. John J. Cullerton

SYNOPSIS AS INTRODUCED:

305 ILCS 5/10-26

Amends the Illinois Public Aid Code. Makes a technical change in a Section concerning the establishment of the State Disbursement Unit.

LRB099 03253 KTG 23261 b

A BILL FOR

1 AN ACT concerning public aid.

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

4 Section 5. The Illinois Public Aid Code is amended by
5 changing Section 10-26 as follows:

6 (305 ILCS 5/10-26)

7 Sec. 10-26. State Disbursement Unit.

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

17 (1) being enforced in cases in which child and spouse
18 support services are being provided under this Article X;
19 and

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

1 (a-2) The contract entered into by the Illinois Department
2 with a public or private entity or an individual for the
3 operation of the State Disbursement Unit is subject to
4 competitive bidding. In addition, the contract is subject to
5 Section 10-26.2 of this Code. As used in this subsection (a-2),
6 "contract" has the same meaning as in the Illinois Procurement
7 Code.

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

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

14 (1) shall be deposited into an account obtained by the
15 Illinois Department, and

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

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

25 (d) If the agreement with the State or local governmental
26 unit or private entity provided for in this Section is not in

1 effect for any reason, the Department shall perform the
2 functions of the State Disbursement Unit as set forth in this
3 Section for a maximum of 12 months before July 1, 2001, and for
4 a maximum of 24 months after June 30, 2001. If the Illinois
5 Department is performing the functions of the State
6 Disbursement Unit on July 1, 2001, then the Illinois Department
7 shall make an award on or before December 31, 2002, to a State
8 or local government unit or private entity to perform the
9 functions of the State Disbursement Unit. Payments received by
10 the Illinois Department in performance of the duties of the
11 State Disbursement Unit shall be deposited into the State
12 Disbursement Unit Revolving Fund established under Section
13 12-8.1. Nothing in this Section shall prohibit the Illinois
14 Department from holding the State Disbursement Unit Revolving
15 Fund after June 30, 2003.

16 (e) By February 1, 2000, the Illinois Department shall
17 conduct at least 4 regional training and educational seminars
18 to educate the clerks of the circuit court on the general
19 operation of the State Disbursement Unit, the role of the State
20 Disbursement Unit, and the role of the clerks of the circuit
21 court in the collection and distribution of child support
22 payments.

23 (f) By March 1, 2000, the Illinois Department shall conduct
24 at least 4 regional educational and training seminars to
25 educate payors, as defined in the Income Withholding for
26 Support Act, on the general operation of the State Disbursement

1 Unit, the role of the State Disbursement Unit, and the
2 distribution of income withholding payments pursuant to this
3 Section and the Income Withholding for Support Act.

4 (Source: P.A. 92-44, eff. 7-1-01; 93-20, eff. 6-20-03.)