

1 AN ACT in relation to public aid.

2 WHEREAS, The General Assembly finds that there has been
3 no general adjustment in the grant amounts under Article IV
4 of the Illinois Public Aid Code to reflect changes in the
5 cost of subsistence needs since 1989. The grant amounts have
6 fallen far behind the cost of subsistence needs. The
7 Temporary Assistance for Needy Families program under Article
8 IV of the Illinois Public Aid Code is now a time-limited
9 program with vigorous work activity requirements.
10 Participants in the program need to be able to meet their
11 subsistence needs while they pursue work activities and
12 endeavor to exit the program as quickly as possible.
13 Inability to meet subsistence needs interferes with these
14 work efforts and delays exit from the program, and, among
15 families with difficult problems inhibiting the ability to
16 work, such as disabilities within the family, the inability
17 to meet subsistence needs also threatens their health and
18 well-being; therefore,

19 Be it enacted by the People of the State of Illinois,
20 represented in the General Assembly:

21 Section 5. The Illinois Public Aid Code is amended by
22 changing Section 12-4.11 as follows:

23 (305 ILCS 5/12-4.11) (from Ch. 23, par. 12-4.11)

24 Sec. 12-4.11. Grant amounts. The Department, with due
25 regard for and subject to budgetary limitations, shall
26 establish grant amounts for each of the programs, by
27 regulation. The grant amounts may vary by program, size of
28 assistance unit and geographic area. Effective July 1, 2003,
29 the Department shall increase the grant amounts under Article
30 IV of this Code by no less than 5% above the amounts in
31 effect on June 30, 2003. Effective July 1, 2004 and each

1 July 1 thereafter, the Department shall increase the grant
2 amounts under Article IV of this Code by no less than the
3 increase in the "Employment Cost Index, Wages and Salaries,
4 By Occupation and Industry Groups: State and Local Government
5 Workers: Public Administration" as published by the Bureau of
6 Labor Statistics of the U.S. Department of Labor for the
7 calendar year immediately preceding the year in which the
8 July 1 grant amount increase takes effect. On January 1,
9 2006, and on January 1 every 2 years thereafter, the
10 Department shall issue a report to the Governor and the
11 General Assembly on the adequacy of grant amounts under
12 Article IV to meet the subsistence needs of the families
13 participating in that program.

14 Aid payments shall not be reduced except: (1) for changes
15 in the cost of items included in the grant amounts, or (2)
16 for changes in the expenses of the recipient, or (3) for
17 changes in the income or resources available to the
18 recipient, or (4) for changes in grants resulting from
19 adoption of a consolidated grant amount.

20 In fixing standards to govern payments or reimbursements
21 for funeral and burial expenses, the Department shall
22 establish a minimum allowable amount of not less than \$1,000
23 for Department payment of funeral services and not less than
24 \$500 for Department payment of burial or cremation services.
25 In establishing the minimum allowable amount, the Department
26 shall take into account the services essential to a
27 dignified, low-cost (i) funeral and (ii) burial or cremation,
28 including reasonable amounts that may be necessary for burial
29 space and cemetery charges, and any applicable taxes or other
30 required governmental fees or charges. If no person has
31 agreed to pay the total cost of the (i) funeral and (ii)
32 burial or cremation charges, the Department shall pay the
33 vendor the actual costs of the (i) funeral and (ii) burial or
34 cremation, or the minimum allowable amount for each service

1 as established by the Department, whichever is less, provided
2 that the Department reduces its payments by the amount
3 available from the following sources: the decedent's assets
4 and available resources and the anticipated amounts of any
5 death benefits available to the decedent's estate, and
6 amounts paid and arranged to be paid by the decedent's
7 legally responsible relatives. A legally responsible relative
8 is expected to pay (i) funeral and (ii) burial or cremation
9 expenses unless financially unable to do so.

10 Nothing contained in this Section or in any other Section
11 of this Code shall be construed to prohibit the Illinois
12 Department (1) from consolidating existing standards on the
13 basis of any standards which are or were in effect on, or
14 subsequent to July 1, 1969, or (2) from employing any
15 consolidated standards in determining need for public aid and
16 the amount of money payment or grant for individual
17 recipients or recipient families.

18 (Source: P.A. 91-24, eff. 7-1-99; 92-419, eff. 1-1-02.)

19 Section 99. Effective date. This Act takes effect on
20 July 1, 2003.