

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; and

6 WHEREAS, The grant amounts have fallen far behind the
7 cost of subsistence needs, especially the costs of private
8 market housing, which have far outpaced the general increases
9 in the cost of living; and

10 WHEREAS, The Temporary Assistance for Needy Families
11 program under Article IV of the Illinois Public Aid Code is
12 now a time-limited program with vigorous work activity
13 requirements; and

14 WHEREAS, Many recipients are employed, and all of the
15 unemployed recipients must pursue employment or activities
16 directed at increasing their employability; and

17 WHEREAS, Stable housing is a crucial ingredient in the
18 success of these efforts and the earliest possible exit from
19 the program; and

20 WHEREAS, Inability to meet housing costs interferes with
21 these work efforts and delays exit from the program, and,
22 among families with difficult problem delaying their exit
23 from the program, such as disabilities within the family, the
24 inability to meet housing costs threatens their health and
25 well-being; and

26 WHEREAS, The General Assembly finds that a crucial
27 support for the welfare-to-work effort is a housing allowance
28 for families participating in the Temporary Assistance for
29 Needy Families program who do not receive a government
30 housing subsidy or reside in public housing; therefore,

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

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

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

6 Sec. 12-4.11. Grant amounts. The Department, with due
7 regard for and subject to budgetary limitations, shall
8 establish grant amounts for each of the programs, by
9 regulation. The grant amounts may vary by program, size of
10 assistance unit and geographic area. Effective July 1, 2003,
11 the Department of Human Services must establish a housing
12 allowance to include in the grant amounts under Article IV of
13 this Code. The housing allowance must be provided in the
14 grant amounts for families in each month as to which they do
15 not reside in public housing or receive a governmental
16 housing subsidy. Effective July 1, 2003, the housing
17 allowance must be equal to 15% of the grant amounts effective
18 on June 30, 2003. Effective July 1, 2004, the Department
19 must increase the housing allowance by a further 15% of the
20 grant amounts effective on June 30, 2003.

21 Aid payments shall not be reduced except: (1) for changes
22 in the cost of items included in the grant amounts, or (2)
23 for changes in the expenses of the recipient, or (3) for
24 changes in the income or resources available to the
25 recipient, or (4) for changes in grants resulting from
26 adoption of a consolidated grant amount.

27 In fixing standards to govern payments or reimbursements
28 for funeral and burial expenses, the Department shall
29 establish a minimum allowable amount of not less than \$1,000
30 for Department payment of funeral services and not less than
31 \$500 for Department payment of burial or cremation services.
32 In establishing the minimum allowable amount, the Department

1 shall take into account the services essential to a
2 dignified, low-cost (i) funeral and (ii) burial or cremation,
3 including reasonable amounts that may be necessary for burial
4 space and cemetery charges, and any applicable taxes or other
5 required governmental fees or charges. If no person has
6 agreed to pay the total cost of the (i) funeral and (ii)
7 burial or cremation charges, the Department shall pay the
8 vendor the actual costs of the (i) funeral and (ii) burial or
9 cremation, or the minimum allowable amount for each service
10 as established by the Department, whichever is less, provided
11 that the Department reduces its payments by the amount
12 available from the following sources: the decedent's assets
13 and available resources and the anticipated amounts of any
14 death benefits available to the decedent's estate, and
15 amounts paid and arranged to be paid by the decedent's
16 legally responsible relatives. A legally responsible relative
17 is expected to pay (i) funeral and (ii) burial or cremation
18 expenses unless financially unable to do so.

19 Nothing contained in this Section or in any other Section
20 of this Code shall be construed to prohibit the Illinois
21 Department (1) from consolidating existing standards on the
22 basis of any standards which are or were in effect on, or
23 subsequent to July 1, 1969, or (2) from employing any
24 consolidated standards in determining need for public aid and
25 the amount of money payment or grant for individual
26 recipients or recipient families.

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

28 Section 99. Effective date. This Act takes effect on
29 July 1, 2003.