



Sen. Dan Cronin

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LRB095 10643 AJ0 33113 a

1 AMENDMENT TO SENATE BILL 1230

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1230 on page 4, by  
3 replacing line 7 with the following:

4 "caring for the disabled person for at least 3 of the last 5  
5 years of the decedent's life ~~years~~ shall be"; and

6 on page 4, by replacing lines 12 through 18 with the following:

7 "of personally caring for the disabled person. No claim shall  
8 be allowed if it is shown that the living arrangements (i) were  
9 intended to provide a significant benefit to the claimant and  
10 (ii) did provide a significant benefit to the claimant.  
11 Notwithstanding the statutory custodial claim amounts stated  
12 in this Section, a court may reduce an amount to reflect the  
13 extent to which the living arrangement provided a physical,  
14 emotional, or financial benefit to the claimant. A benefit  
15 received by the claimant may have occurred as the result of the  
16 living arrangement or have been provided to the claimant by the  
17 decedent or by others in part in recognition of the personal

1 care provided by the claimant to the decedent. The factors a  
2 court shall consider in determining whether to reduce a  
3 statutory custodial claim amount shall include but are not  
4 limited to: (i) the free or low cost of housing provided to the  
5 claimant; (ii) the alleviation of the need for the claimant to  
6 be employed full time; (iii) any financial benefit provided to  
7 the claimant; (iv) the emotional benefits received by the  
8 claimant; and (v) the personal care received by the claimant  
9 from the decedent or others. The claim shall be in addition to  
10 any other"; and

11 on page 5, by replacing lines 3 through 9, with the following:

12 "A claim under this Section shall be disallowed if the  
13 descendent executed a valid will or codicil on a date after the  
14 claimant dedicated himself or herself to the care of the  
15 decedent, lived with the decedent, and personally cared for the  
16 decedent for at least 3 years, which were 3 of the last 5 years  
17 of the decedent's life."; and

18 on page 5, by deleting lines 11 and 12.