

SB3931



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB3931

Introduced 11/14/2012, by Sen. Chris Lauzen

SYNOPSIS AS INTRODUCED:

See Index

Amends the Senior Citizens and Disabled Persons Property Tax Relief Act by reinstating the pharmaceutical assistance program that was eliminated by Public Act 97-689 and changing the short title of the Act to the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act. Makes corresponding changes in other Acts.

LRB097 22399 KTG 71155 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning pharmaceutical assistance.

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

4 Section 1. The Illinois Administrative Procedure Act is
5 amended by changing Section 5-45 as follows:

6 (5 ILCS 100/5-45) (from Ch. 127, par. 1005-45)

7 Sec. 5-45. Emergency rulemaking.

8 (a) "Emergency" means the existence of any situation that
9 any agency finds reasonably constitutes a threat to the public
10 interest, safety, or welfare.

11 (b) If any agency finds that an emergency exists that
12 requires adoption of a rule upon fewer days than is required by
13 Section 5-40 and states in writing its reasons for that
14 finding, the agency may adopt an emergency rule without prior
15 notice or hearing upon filing a notice of emergency rulemaking
16 with the Secretary of State under Section 5-70. The notice
17 shall include the text of the emergency rule and shall be
18 published in the Illinois Register. Consent orders or other
19 court orders adopting settlements negotiated by an agency may
20 be adopted under this Section. Subject to applicable
21 constitutional or statutory provisions, an emergency rule
22 becomes effective immediately upon filing under Section 5-65 or
23 at a stated date less than 10 days thereafter. The agency's

1 finding and a statement of the specific reasons for the finding
2 shall be filed with the rule. The agency shall take reasonable
3 and appropriate measures to make emergency rules known to the
4 persons who may be affected by them.

5 (c) An emergency rule may be effective for a period of not
6 longer than 150 days, but the agency's authority to adopt an
7 identical rule under Section 5-40 is not precluded. No
8 emergency rule may be adopted more than once in any 24 month
9 period, except that this limitation on the number of emergency
10 rules that may be adopted in a 24 month period does not apply
11 to (i) emergency rules that make additions to and deletions
12 from the Drug Manual under Section 5-5.16 of the Illinois
13 Public Aid Code or the generic drug formulary under Section
14 3.14 of the Illinois Food, Drug and Cosmetic Act, (ii)
15 emergency rules adopted by the Pollution Control Board before
16 July 1, 1997 to implement portions of the Livestock Management
17 Facilities Act, (iii) emergency rules adopted by the Illinois
18 Department of Public Health under subsections (a) through (i)
19 of Section 2 of the Department of Public Health Act when
20 necessary to protect the public's health, (iv) emergency rules
21 adopted pursuant to subsection (n) of this Section, (v)
22 emergency rules adopted pursuant to subsection (o) of this
23 Section, or (vi) emergency rules adopted pursuant to subsection
24 (c-5) of this Section. Two or more emergency rules having
25 substantially the same purpose and effect shall be deemed to be
26 a single rule for purposes of this Section.

1 (c-5) To facilitate the maintenance of the program of group
2 health benefits provided to annuitants, survivors, and retired
3 employees under the State Employees Group Insurance Act of
4 1971, rules to alter the contributions to be paid by the State,
5 annuitants, survivors, retired employees, or any combination
6 of those entities, for that program of group health benefits,
7 shall be adopted as emergency rules. The adoption of those
8 rules shall be considered an emergency and necessary for the
9 public interest, safety, and welfare.

10 (d) In order to provide for the expeditious and timely
11 implementation of the State's fiscal year 1999 budget,
12 emergency rules to implement any provision of Public Act 90-587
13 or 90-588 or any other budget initiative for fiscal year 1999
14 may be adopted in accordance with this Section by the agency
15 charged with administering that provision or initiative,
16 except that the 24-month limitation on the adoption of
17 emergency rules and the provisions of Sections 5-115 and 5-125
18 do not apply to rules adopted under this subsection (d). The
19 adoption of emergency rules authorized by this subsection (d)
20 shall be deemed to be necessary for the public interest,
21 safety, and welfare.

22 (e) In order to provide for the expeditious and timely
23 implementation of the State's fiscal year 2000 budget,
24 emergency rules to implement any provision of this amendatory
25 Act of the 91st General Assembly or any other budget initiative
26 for fiscal year 2000 may be adopted in accordance with this

1 Section by the agency charged with administering that provision
2 or initiative, except that the 24-month limitation on the
3 adoption of emergency rules and the provisions of Sections
4 5-115 and 5-125 do not apply to rules adopted under this
5 subsection (e). The adoption of emergency rules authorized by
6 this subsection (e) shall be deemed to be necessary for the
7 public interest, safety, and welfare.

8 (f) In order to provide for the expeditious and timely
9 implementation of the State's fiscal year 2001 budget,
10 emergency rules to implement any provision of this amendatory
11 Act of the 91st General Assembly or any other budget initiative
12 for fiscal year 2001 may be adopted in accordance with this
13 Section by the agency charged with administering that provision
14 or initiative, except that the 24-month limitation on the
15 adoption of emergency rules and the provisions of Sections
16 5-115 and 5-125 do not apply to rules adopted under this
17 subsection (f). The adoption of emergency rules authorized by
18 this subsection (f) shall be deemed to be necessary for the
19 public interest, safety, and welfare.

20 (g) In order to provide for the expeditious and timely
21 implementation of the State's fiscal year 2002 budget,
22 emergency rules to implement any provision of this amendatory
23 Act of the 92nd General Assembly or any other budget initiative
24 for fiscal year 2002 may be adopted in accordance with this
25 Section by the agency charged with administering that provision
26 or initiative, except that the 24-month limitation on the

1 adoption of emergency rules and the provisions of Sections
2 5-115 and 5-125 do not apply to rules adopted under this
3 subsection (g). The adoption of emergency rules authorized by
4 this subsection (g) shall be deemed to be necessary for the
5 public interest, safety, and welfare.

6 (h) In order to provide for the expeditious and timely
7 implementation of the State's fiscal year 2003 budget,
8 emergency rules to implement any provision of this amendatory
9 Act of the 92nd General Assembly or any other budget initiative
10 for fiscal year 2003 may be adopted in accordance with this
11 Section by the agency charged with administering that provision
12 or initiative, except that the 24-month limitation on the
13 adoption of emergency rules and the provisions of Sections
14 5-115 and 5-125 do not apply to rules adopted under this
15 subsection (h). The adoption of emergency rules authorized by
16 this subsection (h) shall be deemed to be necessary for the
17 public interest, safety, and welfare.

18 (i) In order to provide for the expeditious and timely
19 implementation of the State's fiscal year 2004 budget,
20 emergency rules to implement any provision of this amendatory
21 Act of the 93rd General Assembly or any other budget initiative
22 for fiscal year 2004 may be adopted in accordance with this
23 Section by the agency charged with administering that provision
24 or initiative, except that the 24-month limitation on the
25 adoption of emergency rules and the provisions of Sections
26 5-115 and 5-125 do not apply to rules adopted under this

1 subsection (i). The adoption of emergency rules authorized by
2 this subsection (i) shall be deemed to be necessary for the
3 public interest, safety, and welfare.

4 (j) In order to provide for the expeditious and timely
5 implementation of the provisions of the State's fiscal year
6 2005 budget as provided under the Fiscal Year 2005 Budget
7 Implementation (Human Services) Act, emergency rules to
8 implement any provision of the Fiscal Year 2005 Budget
9 Implementation (Human Services) Act may be adopted in
10 accordance with this Section by the agency charged with
11 administering that provision, except that the 24-month
12 limitation on the adoption of emergency rules and the
13 provisions of Sections 5-115 and 5-125 do not apply to rules
14 adopted under this subsection (j). The Department of Public Aid
15 may also adopt rules under this subsection (j) necessary to
16 administer the Illinois Public Aid Code and the Children's
17 Health Insurance Program Act. The adoption of emergency rules
18 authorized by this subsection (j) shall be deemed to be
19 necessary for the public interest, safety, and welfare.

20 (k) In order to provide for the expeditious and timely
21 implementation of the provisions of the State's fiscal year
22 2006 budget, emergency rules to implement any provision of this
23 amendatory Act of the 94th General Assembly or any other budget
24 initiative for fiscal year 2006 may be adopted in accordance
25 with this Section by the agency charged with administering that
26 provision or initiative, except that the 24-month limitation on

1 the adoption of emergency rules and the provisions of Sections
2 5-115 and 5-125 do not apply to rules adopted under this
3 subsection (k). The Department of Healthcare and Family
4 Services may also adopt rules under this subsection (k)
5 necessary to administer the Illinois Public Aid Code, the
6 Senior Citizens and Disabled Persons Property Tax Relief and
7 Pharmaceutical Assistance Act, the Senior Citizens and
8 Disabled Persons Prescription Drug Discount Program Act (now
9 the Illinois Prescription Drug Discount Program Act), and the
10 Children's Health Insurance Program Act. The adoption of
11 emergency rules authorized by this subsection (k) shall be
12 deemed to be necessary for the public interest, safety, and
13 welfare.

14 (1) In order to provide for the expeditious and timely
15 implementation of the provisions of the State's fiscal year
16 2007 budget, the Department of Healthcare and Family Services
17 may adopt emergency rules during fiscal year 2007, including
18 rules effective July 1, 2007, in accordance with this
19 subsection to the extent necessary to administer the
20 Department's responsibilities with respect to amendments to
21 the State plans and Illinois waivers approved by the federal
22 Centers for Medicare and Medicaid Services necessitated by the
23 requirements of Title XIX and Title XXI of the federal Social
24 Security Act. The adoption of emergency rules authorized by
25 this subsection (1) shall be deemed to be necessary for the
26 public interest, safety, and welfare.

1 (m) In order to provide for the expeditious and timely
2 implementation of the provisions of the State's fiscal year
3 2008 budget, the Department of Healthcare and Family Services
4 may adopt emergency rules during fiscal year 2008, including
5 rules effective July 1, 2008, in accordance with this
6 subsection to the extent necessary to administer the
7 Department's responsibilities with respect to amendments to
8 the State plans and Illinois waivers approved by the federal
9 Centers for Medicare and Medicaid Services necessitated by the
10 requirements of Title XIX and Title XXI of the federal Social
11 Security Act. The adoption of emergency rules authorized by
12 this subsection (m) shall be deemed to be necessary for the
13 public interest, safety, and welfare.

14 (n) In order to provide for the expeditious and timely
15 implementation of the provisions of the State's fiscal year
16 2010 budget, emergency rules to implement any provision of this
17 amendatory Act of the 96th General Assembly or any other budget
18 initiative authorized by the 96th General Assembly for fiscal
19 year 2010 may be adopted in accordance with this Section by the
20 agency charged with administering that provision or
21 initiative. The adoption of emergency rules authorized by this
22 subsection (n) shall be deemed to be necessary for the public
23 interest, safety, and welfare. The rulemaking authority
24 granted in this subsection (n) shall apply only to rules
25 promulgated during Fiscal Year 2010.

26 (o) In order to provide for the expeditious and timely

1 implementation of the provisions of the State's fiscal year
2 2011 budget, emergency rules to implement any provision of this
3 amendatory Act of the 96th General Assembly or any other budget
4 initiative authorized by the 96th General Assembly for fiscal
5 year 2011 may be adopted in accordance with this Section by the
6 agency charged with administering that provision or
7 initiative. The adoption of emergency rules authorized by this
8 subsection (o) is deemed to be necessary for the public
9 interest, safety, and welfare. The rulemaking authority
10 granted in this subsection (o) applies only to rules
11 promulgated on or after the effective date of this amendatory
12 Act of the 96th General Assembly through June 30, 2011.

13 (p) In order to provide for the expeditious and timely
14 implementation of the provisions of Public Act 97-689 ~~this~~
15 ~~amendatory Act of the 97th General Assembly~~, emergency rules to
16 implement any provision of Public Act 97-689 ~~this amendatory~~
17 ~~Act of the 97th General Assembly~~ may be adopted in accordance
18 with this subsection (p) by the agency charged with
19 administering that provision or initiative. The 150-day
20 limitation of the effective period of emergency rules does not
21 apply to rules adopted under this subsection (p), and the
22 effective period may continue through June 30, 2013. The
23 24-month limitation on the adoption of emergency rules does not
24 apply to rules adopted under this subsection (p). The adoption
25 of emergency rules authorized by this subsection (p) is deemed
26 to be necessary for the public interest, safety, and welfare.

1 (Source: P.A. 96-45, eff. 7-15-09; 96-958, eff. 7-1-10;
2 96-1500, eff. 1-18-11; 97-689, eff. 6-14-12; 97-695, eff.
3 7-1-12; revised 7-10-12.)

4 Section 5. The State Comptroller Act is amended by changing
5 Section 10.05 as follows:

6 (15 ILCS 405/10.05) (from Ch. 15, par. 210.05)

7 Sec. 10.05. Deductions from warrants; statement of reason
8 for deduction. Whenever any person shall be entitled to a
9 warrant or other payment from the treasury or other funds held
10 by the State Treasurer, on any account, against whom there
11 shall be any then due and payable account or claim in favor of
12 the State, the United States upon certification by the
13 Secretary of the Treasury of the United States, or his or her
14 delegate, pursuant to a reciprocal offset agreement under
15 subsection (i-1) of Section 10 of the Illinois State Collection
16 Act of 1986, or a unit of local government, a school district,
17 or a public institution of higher education, as defined in
18 Section 1 of the Board of Higher Education Act, upon
19 certification by that entity, the Comptroller, upon
20 notification thereof, shall ascertain the amount due and
21 payable to the State, the United States, the unit of local
22 government, the school district, or the public institution of
23 higher education, as aforesaid, and draw a warrant on the
24 treasury or on other funds held by the State Treasurer, stating

1 the amount for which the party was entitled to a warrant or
2 other payment, the amount deducted therefrom, and on what
3 account, and directing the payment of the balance; which
4 warrant or payment as so drawn shall be entered on the books of
5 the Treasurer, and such balance only shall be paid. The
6 Comptroller may deduct any one or more of the following: (i)
7 the entire amount due and payable to the State or a portion of
8 the amount due and payable to the State in accordance with the
9 request of the notifying agency; (ii) the entire amount due and
10 payable to the United States or a portion of the amount due and
11 payable to the United States in accordance with a reciprocal
12 offset agreement under subsection (i-1) of Section 10 of the
13 Illinois State Collection Act of 1986; or (iii) the entire
14 amount due and payable to the unit of local government, school
15 district, or public institution of higher education or a
16 portion of the amount due and payable to that entity in
17 accordance with an intergovernmental agreement authorized
18 under this Section and Section 10.05d. No request from a
19 notifying agency, the Secretary of the Treasury of the United
20 States, a unit of local government, a school district, or a
21 public institution of higher education for an amount to be
22 deducted under this Section from a wage or salary payment, or
23 from a contractual payment to an individual for personal
24 services, shall exceed 25% of the net amount of such payment.
25 "Net amount" means that part of the earnings of an individual
26 remaining after deduction of any amounts required by law to be

1 withheld. For purposes of this provision, wage, salary or other
2 payments for personal services shall not include final
3 compensation payments for the value of accrued vacation,
4 overtime or sick leave. Whenever the Comptroller draws a
5 warrant or makes a payment involving a deduction ordered under
6 this Section, the Comptroller shall notify the payee and the
7 State agency that submitted the voucher of the reason for the
8 deduction and he or she shall retain a record of such statement
9 in his or her records. As used in this Section, an "account or
10 claim in favor of the State" includes all amounts owing to
11 "State agencies" as defined in Section 7 of this Act. However,
12 the Comptroller shall not be required to accept accounts or
13 claims owing to funds not held by the State Treasurer, where
14 such accounts or claims do not exceed \$50, nor shall the
15 Comptroller deduct from funds held by the State Treasurer under
16 the Senior Citizens and Disabled Persons Property Tax Relief
17 and Pharmaceutical Assistance Act or for payments to
18 institutions from the Illinois Prepaid Tuition Trust Fund
19 (unless the Trust Fund moneys are used for child support). The
20 Comptroller and the Department of Revenue shall enter into an
21 interagency agreement to establish responsibilities, duties,
22 and procedures relating to deductions from lottery prizes
23 awarded under Section 20.1 of the Illinois Lottery Law. The
24 Comptroller may enter into an intergovernmental agreement with
25 the Department of Revenue and the Secretary of the Treasury of
26 the United States, or his or her delegate, to establish

1 responsibilities, duties, and procedures relating to
2 reciprocal offset of delinquent State and federal obligations
3 pursuant to subsection (i-1) of Section 10 of the Illinois
4 State Collection Act of 1986. The Comptroller may enter into
5 intergovernmental agreements with any unit of local
6 government, school district, or public institution of higher
7 education to establish responsibilities, duties, and
8 procedures to provide for the offset, by the Comptroller, of
9 obligations owed to those entities.

10 (Source: P.A. 97-269, eff. 12-16-11 (see Section 15 of P.A.
11 97-632 for the effective date of changes made by P.A. 97-269);
12 97-632, eff. 12-16-11; 97-689, eff. 6-14-12.)

13 Section 7. The State Finance Act is amended by changing
14 Sections 6z-52 and 6z-81 as follows:

15 (30 ILCS 105/6z-52)

16 Sec. 6z-52. Drug Rebate Fund.

17 (a) There is created in the State Treasury a special fund
18 to be known as the Drug Rebate Fund.

19 (b) The Fund is created for the purpose of receiving and
20 disbursing moneys in accordance with this Section.
21 Disbursements from the Fund shall be made, subject to
22 appropriation, only as follows:

23 (1) For payments for reimbursement or coverage for
24 prescription drugs and other pharmacy products provided to

1 a recipient of medical assistance under the Illinois Public
2 Aid Code, the Children's Health Insurance Program Act, the
3 Covering ALL KIDS Health Insurance Act, ~~and~~ the Veterans'
4 Health Insurance Program Act of 2008, and the Senior
5 Citizens and Disabled Persons Property Tax Relief and
6 Pharmaceutical Assistance Act.

7 (2) For reimbursement of moneys collected by the
8 Department of Healthcare and Family Services (formerly
9 Illinois Department of Public Aid) through error or
10 mistake.

11 (3) For payments of any amounts that are reimbursable
12 to the federal government resulting from a payment into
13 this Fund.

14 (4) For payments of operational and administrative
15 expenses related to providing and managing coverage for
16 prescription drugs and other pharmacy products provided to
17 a recipient of medical assistance under the Illinois Public
18 Aid Code, the Children's Health Insurance Program Act, the
19 Covering ALL KIDS Health Insurance Act, the Veterans'
20 Health Insurance Program Act of 2008, and the Senior
21 Citizens and Disabled Persons Property Tax Relief and
22 Pharmaceutical Assistance Act.

23 (c) The Fund shall consist of the following:

24 (1) Upon notification from the Director of Healthcare
25 and Family Services, the Comptroller shall direct and the
26 Treasurer shall transfer the net State share (disregarding

1 the reduction in net State share attributable to the
2 American Recovery and Reinvestment Act of 2009 or any other
3 federal economic stimulus program) of all moneys received
4 by the Department of Healthcare and Family Services
5 (formerly Illinois Department of Public Aid) from drug
6 rebate agreements with pharmaceutical manufacturers
7 pursuant to Title XIX of the federal Social Security Act,
8 including any portion of the balance in the Public Aid
9 Recoveries Trust Fund on July 1, 2001 that is attributable
10 to such receipts.

11 (2) All federal matching funds received by the Illinois
12 Department as a result of expenditures made by the
13 Department that are attributable to moneys deposited in the
14 Fund.

15 (3) Any premium collected by the Illinois Department
16 from participants under a waiver approved by the federal
17 government relating to provision of pharmaceutical
18 services.

19 (4) All other moneys received for the Fund from any
20 other source, including interest earned thereon.

21 (Source: P.A. 96-8, eff. 4-28-09; 96-1100, eff. 1-1-11; 97-689,
22 eff. 7-1-12.)

23 (30 ILCS 105/6z-81)

24 Sec. 6z-81. Healthcare Provider Relief Fund.

25 (a) There is created in the State treasury a special fund

1 to be known as the Healthcare Provider Relief Fund.

2 (b) The Fund is created for the purpose of receiving and
3 disbursing moneys in accordance with this Section.
4 Disbursements from the Fund shall be made only as follows:

5 (1) Subject to appropriation, for payment by the
6 Department of Healthcare and Family Services or by the
7 Department of Human Services of medical bills and related
8 expenses, including administrative expenses, for which the
9 State is responsible under Titles XIX and XXI of the Social
10 Security Act, the Illinois Public Aid Code, the Children's
11 Health Insurance Program Act, the Covering ALL KIDS Health
12 Insurance Act, the Senior Citizens and Disabled Persons
13 Property Tax Relief and Pharmaceutical Assistance Act, and
14 the Long Term Acute Care Hospital Quality Improvement
15 Transfer Program Act.

16 (2) For repayment of funds borrowed from other State
17 funds or from outside sources, including interest thereon.

18 (c) The Fund shall consist of the following:

19 (1) Moneys received by the State from short-term
20 borrowing pursuant to the Short Term Borrowing Act on or
21 after the effective date of this amendatory Act of the 96th
22 General Assembly.

23 (2) All federal matching funds received by the Illinois
24 Department of Healthcare and Family Services as a result of
25 expenditures made by the Department that are attributable
26 to moneys deposited in the Fund.

1 (3) All federal matching funds received by the Illinois
2 Department of Healthcare and Family Services as a result of
3 federal approval of Title XIX State plan amendment
4 transmittal number 07-09.

5 (4) All other moneys received for the Fund from any
6 other source, including interest earned thereon.

7 (d) In addition to any other transfers that may be provided
8 for by law, on the effective date of this amendatory Act of the
9 97th General Assembly, or as soon thereafter as practical, the
10 State Comptroller shall direct and the State Treasurer shall
11 transfer the sum of \$365,000,000 from the General Revenue Fund
12 into the Healthcare Provider Relief Fund.

13 (e) In addition to any other transfers that may be provided
14 for by law, on July 1, 2011, or as soon thereafter as
15 practical, the State Comptroller shall direct and the State
16 Treasurer shall transfer the sum of \$160,000,000 from the
17 General Revenue Fund to the Healthcare Provider Relief Fund.

18 (f) Notwithstanding any other State law to the contrary,
19 and in addition to any other transfers that may be provided for
20 by law, the State Comptroller shall order transferred and the
21 State Treasurer shall transfer \$500,000,000 to the Healthcare
22 Provider Relief Fund from the General Revenue Fund in equal
23 monthly installments of \$100,000,000, with the first transfer
24 to be made on July 1, 2012, or as soon thereafter as practical,
25 and with each of the remaining transfers to be made on August
26 1, 2012, September 1, 2012, October 1, 2012, and November 1,

1 2012, or as soon thereafter as practical. This transfer may
2 assist the Department of Healthcare and Family Services in
3 improving Medical Assistance bill processing timeframes or in
4 meeting the possible requirements of Senate Bill 3397, or other
5 similar legislation, of the 97th General Assembly should it
6 become law.

7 (Source: P.A. 96-820, eff. 11-18-09; 96-1100, eff. 1-1-11;
8 97-44, eff. 6-28-11; 97-641, eff. 12-19-11; 97-689, eff.
9 6-14-12; 97-732, eff. 6-30-12; revised 7-10-12.)

10 Section 10. The Downstate Public Transportation Act is
11 amended by changing Sections 2-15.2 and 2-15.3 as follows:

12 (30 ILCS 740/2-15.2)

13 Sec. 2-15.2. Free services; eligibility.

14 (a) Notwithstanding any law to the contrary, no later than
15 60 days following the effective date of this amendatory Act of
16 the 95th General Assembly and until subsection (b) is
17 implemented, any fixed route public transportation services
18 provided by, or under grant or purchase of service contracts
19 of, every participant, as defined in Section 2-2.02 (1)(a),
20 shall be provided without charge to all senior citizen
21 residents of the participant aged 65 and older, under such
22 conditions as shall be prescribed by the participant.

23 (b) Notwithstanding any law to the contrary, no later than
24 180 days following the effective date of this amendatory Act of

1 the 96th General Assembly, any fixed route public
2 transportation services provided by, or under grant or purchase
3 of service contracts of, every participant, as defined in
4 Section 2-2.02 (1)(a), shall be provided without charge to
5 senior citizens aged 65 and older who meet the income
6 eligibility limitation set forth in subsection (a-5) of Section
7 4 of the Senior Citizens and Disabled Persons Property Tax
8 Relief and Pharmaceutical Assistance Act, under such
9 conditions as shall be prescribed by the participant. The
10 Department on Aging shall furnish all information reasonably
11 necessary to determine eligibility, including updated lists of
12 individuals who are eligible for services without charge under
13 this Section. Nothing in this Section shall relieve the
14 participant from providing reduced fares as may be required by
15 federal law.

16 (Source: P.A. 96-1527, eff. 2-14-11; 97-689, eff. 6-14-12.)

17 (30 ILCS 740/2-15.3)

18 Sec. 2-15.3. Transit services for disabled individuals.
19 Notwithstanding any law to the contrary, no later than 60 days
20 following the effective date of this amendatory Act of the 95th
21 General Assembly, all fixed route public transportation
22 services provided by, or under grant or purchase of service
23 contract of, any participant shall be provided without charge
24 to all disabled persons who meet the income eligibility
25 limitation set forth in subsection (a-5) of Section 4 of the

1 Senior Citizens and Disabled Persons Property Tax Relief and
2 Pharmaceutical Assistance Act, under such procedures as shall
3 be prescribed by the participant. The Department on Aging shall
4 furnish all information reasonably necessary to determine
5 eligibility, including updated lists of individuals who are
6 eligible for services without charge under this Section.

7 (Source: P.A. 97-689, eff. 6-14-12.)

8 Section 15. The Property Tax Code is amended by changing
9 Sections 15-172, 15-175, 20-15, and 21-27 as follows:

10 (35 ILCS 200/15-172)

11 Sec. 15-172. Senior Citizens Assessment Freeze Homestead
12 Exemption.

13 (a) This Section may be cited as the Senior Citizens
14 Assessment Freeze Homestead Exemption.

15 (b) As used in this Section:

16 "Applicant" means an individual who has filed an
17 application under this Section.

18 "Base amount" means the base year equalized assessed value
19 of the residence plus the first year's equalized assessed value
20 of any added improvements which increased the assessed value of
21 the residence after the base year.

22 "Base year" means the taxable year prior to the taxable
23 year for which the applicant first qualifies and applies for
24 the exemption provided that in the prior taxable year the

1 property was improved with a permanent structure that was
2 occupied as a residence by the applicant who was liable for
3 paying real property taxes on the property and who was either
4 (i) an owner of record of the property or had legal or
5 equitable interest in the property as evidenced by a written
6 instrument or (ii) had a legal or equitable interest as a
7 lessee in the parcel of property that was single family
8 residence. If in any subsequent taxable year for which the
9 applicant applies and qualifies for the exemption the equalized
10 assessed value of the residence is less than the equalized
11 assessed value in the existing base year (provided that such
12 equalized assessed value is not based on an assessed value that
13 results from a temporary irregularity in the property that
14 reduces the assessed value for one or more taxable years), then
15 that subsequent taxable year shall become the base year until a
16 new base year is established under the terms of this paragraph.
17 For taxable year 1999 only, the Chief County Assessment Officer
18 shall review (i) all taxable years for which the applicant
19 applied and qualified for the exemption and (ii) the existing
20 base year. The assessment officer shall select as the new base
21 year the year with the lowest equalized assessed value. An
22 equalized assessed value that is based on an assessed value
23 that results from a temporary irregularity in the property that
24 reduces the assessed value for one or more taxable years shall
25 not be considered the lowest equalized assessed value. The
26 selected year shall be the base year for taxable year 1999 and

1 thereafter until a new base year is established under the terms
2 of this paragraph.

3 "Chief County Assessment Officer" means the County
4 Assessor or Supervisor of Assessments of the county in which
5 the property is located.

6 "Equalized assessed value" means the assessed value as
7 equalized by the Illinois Department of Revenue.

8 "Household" means the applicant, the spouse of the
9 applicant, and all persons using the residence of the applicant
10 as their principal place of residence.

11 "Household income" means the combined income of the members
12 of a household for the calendar year preceding the taxable
13 year.

14 "Income" has the same meaning as provided in Section 3.07
15 of the Senior Citizens and Disabled Persons Property Tax Relief
16 and Pharmaceutical Assistance Act, except that, beginning in
17 assessment year 2001, "income" does not include veteran's
18 benefits.

19 "Internal Revenue Code of 1986" means the United States
20 Internal Revenue Code of 1986 or any successor law or laws
21 relating to federal income taxes in effect for the year
22 preceding the taxable year.

23 "Life care facility that qualifies as a cooperative" means
24 a facility as defined in Section 2 of the Life Care Facilities
25 Act.

26 "Maximum income limitation" means:

- 1 (1) \$35,000 prior to taxable year 1999;
- 2 (2) \$40,000 in taxable years 1999 through 2003;
- 3 (3) \$45,000 in taxable years 2004 through 2005;
- 4 (4) \$50,000 in taxable years 2006 and 2007; and
- 5 (5) \$55,000 in taxable year 2008 and thereafter.

6 "Residence" means the principal dwelling place and
7 appurtenant structures used for residential purposes in this
8 State occupied on January 1 of the taxable year by a household
9 and so much of the surrounding land, constituting the parcel
10 upon which the dwelling place is situated, as is used for
11 residential purposes. If the Chief County Assessment Officer
12 has established a specific legal description for a portion of
13 property constituting the residence, then that portion of
14 property shall be deemed the residence for the purposes of this
15 Section.

16 "Taxable year" means the calendar year during which ad
17 valorem property taxes payable in the next succeeding year are
18 levied.

19 (c) Beginning in taxable year 1994, a senior citizens
20 assessment freeze homestead exemption is granted for real
21 property that is improved with a permanent structure that is
22 occupied as a residence by an applicant who (i) is 65 years of
23 age or older during the taxable year, (ii) has a household
24 income that does not exceed the maximum income limitation,
25 (iii) is liable for paying real property taxes on the property,
26 and (iv) is an owner of record of the property or has a legal or

1 equitable interest in the property as evidenced by a written
2 instrument. This homestead exemption shall also apply to a
3 leasehold interest in a parcel of property improved with a
4 permanent structure that is a single family residence that is
5 occupied as a residence by a person who (i) is 65 years of age
6 or older during the taxable year, (ii) has a household income
7 that does not exceed the maximum income limitation, (iii) has a
8 legal or equitable ownership interest in the property as
9 lessee, and (iv) is liable for the payment of real property
10 taxes on that property.

11 In counties of 3,000,000 or more inhabitants, the amount of
12 the exemption for all taxable years is the equalized assessed
13 value of the residence in the taxable year for which
14 application is made minus the base amount. In all other
15 counties, the amount of the exemption is as follows: (i)
16 through taxable year 2005 and for taxable year 2007 and
17 thereafter, the amount of this exemption shall be the equalized
18 assessed value of the residence in the taxable year for which
19 application is made minus the base amount; and (ii) for taxable
20 year 2006, the amount of the exemption is as follows:

21 (1) For an applicant who has a household income of
22 \$45,000 or less, the amount of the exemption is the
23 equalized assessed value of the residence in the taxable
24 year for which application is made minus the base amount.

25 (2) For an applicant who has a household income
26 exceeding \$45,000 but not exceeding \$46,250, the amount of

1 the exemption is (i) the equalized assessed value of the
2 residence in the taxable year for which application is made
3 minus the base amount (ii) multiplied by 0.8.

4 (3) For an applicant who has a household income
5 exceeding \$46,250 but not exceeding \$47,500, the amount of
6 the exemption is (i) the equalized assessed value of the
7 residence in the taxable year for which application is made
8 minus the base amount (ii) multiplied by 0.6.

9 (4) For an applicant who has a household income
10 exceeding \$47,500 but not exceeding \$48,750, the amount of
11 the exemption is (i) the equalized assessed value of the
12 residence in the taxable year for which application is made
13 minus the base amount (ii) multiplied by 0.4.

14 (5) For an applicant who has a household income
15 exceeding \$48,750 but not exceeding \$50,000, the amount of
16 the exemption is (i) the equalized assessed value of the
17 residence in the taxable year for which application is made
18 minus the base amount (ii) multiplied by 0.2.

19 When the applicant is a surviving spouse of an applicant
20 for a prior year for the same residence for which an exemption
21 under this Section has been granted, the base year and base
22 amount for that residence are the same as for the applicant for
23 the prior year.

24 Each year at the time the assessment books are certified to
25 the County Clerk, the Board of Review or Board of Appeals shall
26 give to the County Clerk a list of the assessed values of

1 improvements on each parcel qualifying for this exemption that
2 were added after the base year for this parcel and that
3 increased the assessed value of the property.

4 In the case of land improved with an apartment building
5 owned and operated as a cooperative or a building that is a
6 life care facility that qualifies as a cooperative, the maximum
7 reduction from the equalized assessed value of the property is
8 limited to the sum of the reductions calculated for each unit
9 occupied as a residence by a person or persons (i) 65 years of
10 age or older, (ii) with a household income that does not exceed
11 the maximum income limitation, (iii) who is liable, by contract
12 with the owner or owners of record, for paying real property
13 taxes on the property, and (iv) who is an owner of record of a
14 legal or equitable interest in the cooperative apartment
15 building, other than a leasehold interest. In the instance of a
16 cooperative where a homestead exemption has been granted under
17 this Section, the cooperative association or its management
18 firm shall credit the savings resulting from that exemption
19 only to the apportioned tax liability of the owner who
20 qualified for the exemption. Any person who willfully refuses
21 to credit that savings to an owner who qualifies for the
22 exemption is guilty of a Class B misdemeanor.

23 When a homestead exemption has been granted under this
24 Section and an applicant then becomes a resident of a facility
25 licensed under the Assisted Living and Shared Housing Act, the
26 Nursing Home Care Act, the Specialized Mental Health

1 Rehabilitation Act, or the ID/DD Community Care Act, the
2 exemption shall be granted in subsequent years so long as the
3 residence (i) continues to be occupied by the qualified
4 applicant's spouse or (ii) if remaining unoccupied, is still
5 owned by the qualified applicant for the homestead exemption.

6 Beginning January 1, 1997, when an individual dies who
7 would have qualified for an exemption under this Section, and
8 the surviving spouse does not independently qualify for this
9 exemption because of age, the exemption under this Section
10 shall be granted to the surviving spouse for the taxable year
11 preceding and the taxable year of the death, provided that,
12 except for age, the surviving spouse meets all other
13 qualifications for the granting of this exemption for those
14 years.

15 When married persons maintain separate residences, the
16 exemption provided for in this Section may be claimed by only
17 one of such persons and for only one residence.

18 For taxable year 1994 only, in counties having less than
19 3,000,000 inhabitants, to receive the exemption, a person shall
20 submit an application by February 15, 1995 to the Chief County
21 Assessment Officer of the county in which the property is
22 located. In counties having 3,000,000 or more inhabitants, for
23 taxable year 1994 and all subsequent taxable years, to receive
24 the exemption, a person may submit an application to the Chief
25 County Assessment Officer of the county in which the property
26 is located during such period as may be specified by the Chief

1 County Assessment Officer. The Chief County Assessment Officer
2 in counties of 3,000,000 or more inhabitants shall annually
3 give notice of the application period by mail or by
4 publication. In counties having less than 3,000,000
5 inhabitants, beginning with taxable year 1995 and thereafter,
6 to receive the exemption, a person shall submit an application
7 by July 1 of each taxable year to the Chief County Assessment
8 Officer of the county in which the property is located. A
9 county may, by ordinance, establish a date for submission of
10 applications that is different than July 1. The applicant shall
11 submit with the application an affidavit of the applicant's
12 total household income, age, marital status (and if married the
13 name and address of the applicant's spouse, if known), and
14 principal dwelling place of members of the household on January
15 1 of the taxable year. The Department shall establish, by rule,
16 a method for verifying the accuracy of affidavits filed by
17 applicants under this Section, and the Chief County Assessment
18 Officer may conduct audits of any taxpayer claiming an
19 exemption under this Section to verify that the taxpayer is
20 eligible to receive the exemption. Each application shall
21 contain or be verified by a written declaration that it is made
22 under the penalties of perjury. A taxpayer's signing a
23 fraudulent application under this Act is perjury, as defined in
24 Section 32-2 of the Criminal Code of 1961. The applications
25 shall be clearly marked as applications for the Senior Citizens
26 Assessment Freeze Homestead Exemption and must contain a notice

1 that any taxpayer who receives the exemption is subject to an
2 audit by the Chief County Assessment Officer.

3 Notwithstanding any other provision to the contrary, in
4 counties having fewer than 3,000,000 inhabitants, if an
5 applicant fails to file the application required by this
6 Section in a timely manner and this failure to file is due to a
7 mental or physical condition sufficiently severe so as to
8 render the applicant incapable of filing the application in a
9 timely manner, the Chief County Assessment Officer may extend
10 the filing deadline for a period of 30 days after the applicant
11 regains the capability to file the application, but in no case
12 may the filing deadline be extended beyond 3 months of the
13 original filing deadline. In order to receive the extension
14 provided in this paragraph, the applicant shall provide the
15 Chief County Assessment Officer with a signed statement from
16 the applicant's physician stating the nature and extent of the
17 condition, that, in the physician's opinion, the condition was
18 so severe that it rendered the applicant incapable of filing
19 the application in a timely manner, and the date on which the
20 applicant regained the capability to file the application.

21 Beginning January 1, 1998, notwithstanding any other
22 provision to the contrary, in counties having fewer than
23 3,000,000 inhabitants, if an applicant fails to file the
24 application required by this Section in a timely manner and
25 this failure to file is due to a mental or physical condition
26 sufficiently severe so as to render the applicant incapable of

1 filing the application in a timely manner, the Chief County
2 Assessment Officer may extend the filing deadline for a period
3 of 3 months. In order to receive the extension provided in this
4 paragraph, the applicant shall provide the Chief County
5 Assessment Officer with a signed statement from the applicant's
6 physician stating the nature and extent of the condition, and
7 that, in the physician's opinion, the condition was so severe
8 that it rendered the applicant incapable of filing the
9 application in a timely manner.

10 In counties having less than 3,000,000 inhabitants, if an
11 applicant was denied an exemption in taxable year 1994 and the
12 denial occurred due to an error on the part of an assessment
13 official, or his or her agent or employee, then beginning in
14 taxable year 1997 the applicant's base year, for purposes of
15 determining the amount of the exemption, shall be 1993 rather
16 than 1994. In addition, in taxable year 1997, the applicant's
17 exemption shall also include an amount equal to (i) the amount
18 of any exemption denied to the applicant in taxable year 1995
19 as a result of using 1994, rather than 1993, as the base year,
20 (ii) the amount of any exemption denied to the applicant in
21 taxable year 1996 as a result of using 1994, rather than 1993,
22 as the base year, and (iii) the amount of the exemption
23 erroneously denied for taxable year 1994.

24 For purposes of this Section, a person who will be 65 years
25 of age during the current taxable year shall be eligible to
26 apply for the homestead exemption during that taxable year.

1 Application shall be made during the application period in
2 effect for the county of his or her residence.

3 The Chief County Assessment Officer may determine the
4 eligibility of a life care facility that qualifies as a
5 cooperative to receive the benefits provided by this Section by
6 use of an affidavit, application, visual inspection,
7 questionnaire, or other reasonable method in order to insure
8 that the tax savings resulting from the exemption are credited
9 by the management firm to the apportioned tax liability of each
10 qualifying resident. The Chief County Assessment Officer may
11 request reasonable proof that the management firm has so
12 credited that exemption.

13 Except as provided in this Section, all information
14 received by the chief county assessment officer or the
15 Department from applications filed under this Section, or from
16 any investigation conducted under the provisions of this
17 Section, shall be confidential, except for official purposes or
18 pursuant to official procedures for collection of any State or
19 local tax or enforcement of any civil or criminal penalty or
20 sanction imposed by this Act or by any statute or ordinance
21 imposing a State or local tax. Any person who divulges any such
22 information in any manner, except in accordance with a proper
23 judicial order, is guilty of a Class A misdemeanor.

24 Nothing contained in this Section shall prevent the
25 Director or chief county assessment officer from publishing or
26 making available reasonable statistics concerning the

1 operation of the exemption contained in this Section in which
2 the contents of claims are grouped into aggregates in such a
3 way that information contained in any individual claim shall
4 not be disclosed.

5 (d) Each Chief County Assessment Officer shall annually
6 publish a notice of availability of the exemption provided
7 under this Section. The notice shall be published at least 60
8 days but no more than 75 days prior to the date on which the
9 application must be submitted to the Chief County Assessment
10 Officer of the county in which the property is located. The
11 notice shall appear in a newspaper of general circulation in
12 the county.

13 Notwithstanding Sections 6 and 8 of the State Mandates Act,
14 no reimbursement by the State is required for the
15 implementation of any mandate created by this Section.

16 (Source: P.A. 96-339, eff. 7-1-10; 96-355, eff. 1-1-10;
17 96-1000, eff. 7-2-10; 97-38, eff. 6-28-11; 97-227, eff. 1-1-12;
18 97-689, eff. 6-14-12; 97-813, eff. 7-13-12.)

19 (35 ILCS 200/15-175)

20 Sec. 15-175. General homestead exemption. Except as
21 provided in Sections 15-176 and 15-177, homestead property is
22 entitled to an annual homestead exemption limited, except as
23 described here with relation to cooperatives, to a reduction in
24 the equalized assessed value of homestead property equal to the
25 increase in equalized assessed value for the current assessment

1 year above the equalized assessed value of the property for
2 1977, up to the maximum reduction set forth below. If however,
3 the 1977 equalized assessed value upon which taxes were paid is
4 subsequently determined by local assessing officials, the
5 Property Tax Appeal Board, or a court to have been excessive,
6 the equalized assessed value which should have been placed on
7 the property for 1977 shall be used to determine the amount of
8 the exemption.

9 Except as provided in Section 15-176, the maximum reduction
10 before taxable year 2004 shall be \$4,500 in counties with
11 3,000,000 or more inhabitants and \$3,500 in all other counties.
12 Except as provided in Sections 15-176 and 15-177, for taxable
13 years 2004 through 2007, the maximum reduction shall be \$5,000,
14 for taxable year 2008, the maximum reduction is \$5,500, and,
15 for taxable years 2009 and thereafter, the maximum reduction is
16 \$6,000 in all counties. If a county has elected to subject
17 itself to the provisions of Section 15-176 as provided in
18 subsection (k) of that Section, then, for the first taxable
19 year only after the provisions of Section 15-176 no longer
20 apply, for owners who, for the taxable year, have not been
21 granted a senior citizens assessment freeze homestead
22 exemption under Section 15-172 or a long-time occupant
23 homestead exemption under Section 15-177, there shall be an
24 additional exemption of \$5,000 for owners with a household
25 income of \$30,000 or less.

26 In counties with fewer than 3,000,000 inhabitants, if,

1 based on the most recent assessment, the equalized assessed
2 value of the homestead property for the current assessment year
3 is greater than the equalized assessed value of the property
4 for 1977, the owner of the property shall automatically receive
5 the exemption granted under this Section in an amount equal to
6 the increase over the 1977 assessment up to the maximum
7 reduction set forth in this Section.

8 If in any assessment year beginning with the 2000
9 assessment year, homestead property has a pro-rata valuation
10 under Section 9-180 resulting in an increase in the assessed
11 valuation, a reduction in equalized assessed valuation equal to
12 the increase in equalized assessed value of the property for
13 the year of the pro-rata valuation above the equalized assessed
14 value of the property for 1977 shall be applied to the property
15 on a proportionate basis for the period the property qualified
16 as homestead property during the assessment year. The maximum
17 proportionate homestead exemption shall not exceed the maximum
18 homestead exemption allowed in the county under this Section
19 divided by 365 and multiplied by the number of days the
20 property qualified as homestead property.

21 "Homestead property" under this Section includes
22 residential property that is occupied by its owner or owners as
23 his or their principal dwelling place, or that is a leasehold
24 interest on which a single family residence is situated, which
25 is occupied as a residence by a person who has an ownership
26 interest therein, legal or equitable or as a lessee, and on

1 which the person is liable for the payment of property taxes.
2 For land improved with an apartment building owned and operated
3 as a cooperative or a building which is a life care facility as
4 defined in Section 15-170 and considered to be a cooperative
5 under Section 15-170, the maximum reduction from the equalized
6 assessed value shall be limited to the increase in the value
7 above the equalized assessed value of the property for 1977, up
8 to the maximum reduction set forth above, multiplied by the
9 number of apartments or units occupied by a person or persons
10 who is liable, by contract with the owner or owners of record,
11 for paying property taxes on the property and is an owner of
12 record of a legal or equitable interest in the cooperative
13 apartment building, other than a leasehold interest. For
14 purposes of this Section, the term "life care facility" has the
15 meaning stated in Section 15-170.

16 "Household", as used in this Section, means the owner, the
17 spouse of the owner, and all persons using the residence of the
18 owner as their principal place of residence.

19 "Household income", as used in this Section, means the
20 combined income of the members of a household for the calendar
21 year preceding the taxable year.

22 "Income", as used in this Section, has the same meaning as
23 provided in Section 3.07 of the Senior Citizens and Disabled
24 Persons Property Tax Relief and Pharmaceutical Assistance Act,
25 except that "income" does not include veteran's benefits.

26 In a cooperative where a homestead exemption has been

1 granted, the cooperative association or its management firm
2 shall credit the savings resulting from that exemption only to
3 the apportioned tax liability of the owner who qualified for
4 the exemption. Any person who willfully refuses to so credit
5 the savings shall be guilty of a Class B misdemeanor.

6 Where married persons maintain and reside in separate
7 residences qualifying as homestead property, each residence
8 shall receive 50% of the total reduction in equalized assessed
9 valuation provided by this Section.

10 In all counties, the assessor or chief county assessment
11 officer may determine the eligibility of residential property
12 to receive the homestead exemption and the amount of the
13 exemption by application, visual inspection, questionnaire or
14 other reasonable methods. The determination shall be made in
15 accordance with guidelines established by the Department,
16 provided that the taxpayer applying for an additional general
17 exemption under this Section shall submit to the chief county
18 assessment officer an application with an affidavit of the
19 applicant's total household income, age, marital status (and,
20 if married, the name and address of the applicant's spouse, if
21 known), and principal dwelling place of members of the
22 household on January 1 of the taxable year. The Department
23 shall issue guidelines establishing a method for verifying the
24 accuracy of the affidavits filed by applicants under this
25 paragraph. The applications shall be clearly marked as
26 applications for the Additional General Homestead Exemption.

1 In counties with fewer than 3,000,000 inhabitants, in the
2 event of a sale of homestead property the homestead exemption
3 shall remain in effect for the remainder of the assessment year
4 of the sale. The assessor or chief county assessment officer
5 may require the new owner of the property to apply for the
6 homestead exemption for the following assessment year.

7 Notwithstanding Sections 6 and 8 of the State Mandates Act,
8 no reimbursement by the State is required for the
9 implementation of any mandate created by this Section.

10 (Source: P.A. 97-689, eff. 6-14-12.)

11 (35 ILCS 200/20-15)

12 Sec. 20-15. Information on bill or separate statement.
13 There shall be printed on each bill, or on a separate slip
14 which shall be mailed with the bill:

15 (a) a statement itemizing the rate at which taxes have
16 been extended for each of the taxing districts in the
17 county in whose district the property is located, and in
18 those counties utilizing electronic data processing
19 equipment the dollar amount of tax due from the person
20 assessed allocable to each of those taxing districts,
21 including a separate statement of the dollar amount of tax
22 due which is allocable to a tax levied under the Illinois
23 Local Library Act or to any other tax levied by a
24 municipality or township for public library purposes,

25 (b) a separate statement for each of the taxing

1 districts of the dollar amount of tax due which is
2 allocable to a tax levied under the Illinois Pension Code
3 or to any other tax levied by a municipality or township
4 for public pension or retirement purposes,

5 (c) the total tax rate,

6 (d) the total amount of tax due, and

7 (e) the amount by which the total tax and the tax
8 allocable to each taxing district differs from the
9 taxpayer's last prior tax bill.

10 The county treasurer shall ensure that only those taxing
11 districts in which a parcel of property is located shall be
12 listed on the bill for that property.

13 In all counties the statement shall also provide:

14 (1) the property index number or other suitable
15 description,

16 (2) the assessment of the property,

17 (3) the equalization factors imposed by the county and
18 by the Department, and

19 (4) the equalized assessment resulting from the
20 application of the equalization factors to the basic
21 assessment.

22 In all counties which do not classify property for purposes
23 of taxation, for property on which a single family residence is
24 situated the statement shall also include a statement to
25 reflect the fair cash value determined for the property. In all
26 counties which classify property for purposes of taxation in

1 accordance with Section 4 of Article IX of the Illinois
2 Constitution, for parcels of residential property in the lowest
3 assessment classification the statement shall also include a
4 statement to reflect the fair cash value determined for the
5 property.

6 In all counties, the statement must include information
7 that certain taxpayers may be eligible for tax exemptions,
8 abatements, and other assistance programs and that, for more
9 information, taxpayers should consult with the office of their
10 township or county assessor and with the Illinois Department of
11 Revenue.

12 In all counties, the statement shall include information
13 that certain taxpayers may be eligible for the Senior Citizens
14 and Disabled Persons Property Tax Relief and Pharmaceutical
15 Assistance Act and that applications are available from the
16 Illinois Department on Aging.

17 In counties which use the estimated or accelerated billing
18 methods, these statements shall only be provided with the final
19 installment of taxes due. The provisions of this Section create
20 a mandatory statutory duty. They are not merely directory or
21 discretionary. The failure or neglect of the collector to mail
22 the bill, or the failure of the taxpayer to receive the bill,
23 shall not affect the validity of any tax, or the liability for
24 the payment of any tax.

25 (Source: P.A. 97-689, eff. 6-14-12.)

1 (35 ILCS 200/21-27)

2 Sec. 21-27. Waiver of interest penalty.

3 (a) On the recommendation of the county treasurer, the
4 county board may adopt a resolution under which an interest
5 penalty for the delinquent payment of taxes for any year that
6 otherwise would be imposed under Section 21-15, 21-20, or 21-25
7 shall be waived in the case of any person who meets all of the
8 following criteria:

9 (1) The person is determined eligible for a grant under
10 the Senior Citizens and Disabled Persons Property Tax
11 Relief and Pharmaceutical Assistance Act with respect to
12 the taxes for that year.

13 (2) The person requests, in writing, on a form approved
14 by the county treasurer, a waiver of the interest penalty,
15 and the request is filed with the county treasurer on or
16 before the first day of the month that an installment of
17 taxes is due.

18 (3) The person pays the installment of taxes due, in
19 full, on or before the third day of the month that the
20 installment is due.

21 (4) The county treasurer approves the request for a
22 waiver.

23 (b) With respect to property that qualifies as a brownfield
24 site under Section 58.2 of the Environmental Protection Act,
25 the county board, upon the recommendation of the county
26 treasurer, may adopt a resolution to waive an interest penalty

1 for the delinquent payment of taxes for any year that otherwise
2 would be imposed under Section 21-15, 21-20, or 21-25 if all of
3 the following criteria are met:

4 (1) the property has delinquent taxes and an
5 outstanding interest penalty and the amount of that
6 interest penalty is so large as to, possibly, result in all
7 of the taxes becoming uncollectible;

8 (2) the property is part of a redevelopment plan of a
9 unit of local government and that unit of local government
10 does not oppose the waiver of the interest penalty;

11 (3) the redevelopment of the property will benefit the
12 public interest by remediating the brownfield
13 contamination;

14 (4) the taxpayer delivers to the county treasurer (i) a
15 written request for a waiver of the interest penalty, on a
16 form approved by the county treasurer, and (ii) a copy of
17 the redevelopment plan for the property;

18 (5) the taxpayer pays, in full, the amount of up to the
19 amount of the first 2 installments of taxes due, to be held
20 in escrow pending the approval of the waiver, and enters
21 into an agreement with the county treasurer setting forth a
22 schedule for the payment of any remaining taxes due; and

23 (6) the county treasurer approves the request for a
24 waiver.

25 (Source: P.A. 97-655, eff. 1-13-12; 97-689, eff. 6-14-12.)

1 Section 20. The Mobile Home Local Services Tax Act is
2 amended by changing Section 7 as follows:

3 (35 ILCS 515/7) (from Ch. 120, par. 1207)

4 Sec. 7. The local services tax for owners of mobile homes
5 who (a) are actually residing in such mobile homes, (b) hold
6 title to such mobile home as provided in the Illinois Vehicle
7 Code, and (c) are 65 years of age or older or are disabled
8 persons within the meaning of Section 3.14 of the "Senior
9 Citizens and Disabled Persons Property Tax Relief and
10 Pharmaceutical Assistance Act" on the annual billing date shall
11 be reduced to 80 percent of the tax provided for in Section 3
12 of this Act. Proof that a claimant has been issued an Illinois
13 Disabled Person Identification Card stating that the claimant
14 is under a Class 2 disability, as provided in Section 4A of the
15 Illinois Identification Card Act, shall constitute proof that
16 the person thereon named is a disabled person within the
17 meaning of this Act. An application for reduction of the tax
18 shall be filed with the county clerk by the individuals who are
19 entitled to the reduction. If the application is filed after
20 May 1, the reduction in tax shall begin with the next annual
21 bill. Application for the reduction in tax shall be done by
22 submitting proof that the applicant has been issued an Illinois
23 Disabled Person Identification Card designating the
24 applicant's disability as a Class 2 disability, or by affidavit
25 in substantially the following form:

1 APPLICATION FOR REDUCTION OF MOBILE HOME LOCAL SERVICES TAX

2 I hereby make application for a reduction to 80% of the
3 total tax imposed under "An Act to provide for a local services
4 tax on mobile homes".

5 (1) Senior Citizens

6 (a) I actually reside in the mobile home

7 (b) I hold title to the mobile home as provided in the
8 Illinois Vehicle Code

9 (c) I reached the age of 65 on or before either January 1
10 (or July 1) of the year in which this statement is filed. My
11 date of birth is: ...

12 (2) Disabled Persons

13 (a) I actually reside in the mobile home...

14 (b) I hold title to the mobile home as provided in the
15 Illinois Vehicle Code

16 (c) I was totally disabled on ... and have remained
17 disabled until the date of this application. My Social
18 Security, Veterans, Railroad or Civil Service Total Disability
19 Claim Number is ... The undersigned declares under the penalty
20 of perjury that the above statements are true and correct.

21 Dated (insert date).

22

23 Signature of owner

24

25 (Address)

26

1 (City) (State) (Zip)

2 Approved by:

3

4 (Assessor)

5 This application shall be accompanied by a copy of the
6 applicant's most recent application filed with the Illinois
7 Department on Aging under the Senior Citizens and Disabled
8 Persons Property Tax Relief and Pharmaceutical Assistance Act.
9 (Source: P.A. 96-804, eff. 1-1-10; 97-689, eff. 6-14-12.)

10 Section 25. The Metropolitan Transit Authority Act is
11 amended by changing Sections 51 and 52 as follows:

12 (70 ILCS 3605/51)

13 Sec. 51. Free services; eligibility.

14 (a) Notwithstanding any law to the contrary, no later than
15 60 days following the effective date of this amendatory Act of
16 the 95th General Assembly and until subsection (b) is
17 implemented, any fixed route public transportation services
18 provided by, or under grant or purchase of service contracts
19 of, the Board shall be provided without charge to all senior
20 citizens of the Metropolitan Region (as such term is defined in
21 70 ILCS 3615/1.03) aged 65 and older, under such conditions as
22 shall be prescribed by the Board.

23 (b) Notwithstanding any law to the contrary, no later than

1 180 days following the effective date of this amendatory Act of
2 the 96th General Assembly, any fixed route public
3 transportation services provided by, or under grant or purchase
4 of service contracts of, the Board shall be provided without
5 charge to senior citizens aged 65 and older who meet the income
6 eligibility limitation set forth in subsection (a-5) of Section
7 4 of the Senior Citizens and Disabled Persons Property Tax
8 Relief and Pharmaceutical Assistance Act, under such
9 conditions as shall be prescribed by the Board. The Department
10 on Aging shall furnish all information reasonably necessary to
11 determine eligibility, including updated lists of individuals
12 who are eligible for services without charge under this
13 Section. Nothing in this Section shall relieve the Board from
14 providing reduced fares as may be required by federal law.

15 (Source: P.A. 96-1527, eff. 2-14-11; 97-689, eff. 6-14-12.)

16 (70 ILCS 3605/52)

17 Sec. 52. Transit services for disabled individuals.
18 Notwithstanding any law to the contrary, no later than 60 days
19 following the effective date of this amendatory Act of the 95th
20 General Assembly, all fixed route public transportation
21 services provided by, or under grant or purchase of service
22 contract of, the Board shall be provided without charge to all
23 disabled persons who meet the income eligibility limitation set
24 forth in subsection (a-5) of Section 4 of the Senior Citizens
25 and Disabled Persons Property Tax Relief and Pharmaceutical

1 Assistance Act, under such procedures as shall be prescribed by
2 the Board. The Department on Aging shall furnish all
3 information reasonably necessary to determine eligibility,
4 including updated lists of individuals who are eligible for
5 services without charge under this Section.

6 (Source: P.A. 97-689, eff. 6-14-12.)

7 Section 30. The Local Mass Transit District Act is amended
8 by changing Sections 8.6 and 8.7 as follows:

9 (70 ILCS 3610/8.6)

10 Sec. 8.6. Free services; eligibility.

11 (a) Notwithstanding any law to the contrary, no later than
12 60 days following the effective date of this amendatory Act of
13 the 95th General Assembly and until subsection (b) is
14 implemented, any fixed route public transportation services
15 provided by, or under grant or purchase of service contracts
16 of, every District shall be provided without charge to all
17 senior citizens of the District aged 65 and older, under such
18 conditions as shall be prescribed by the District.

19 (b) Notwithstanding any law to the contrary, no later than
20 180 days following the effective date of this amendatory Act of
21 the 96th General Assembly, any fixed route public
22 transportation services provided by, or under grant or purchase
23 of service contracts of, every District shall be provided
24 without charge to senior citizens aged 65 and older who meet

1 the income eligibility limitation set forth in subsection (a-5)
2 of Section 4 of the Senior Citizens and Disabled Persons
3 Property Tax Relief and Pharmaceutical Assistance Act, under
4 such conditions as shall be prescribed by the District. The
5 Department on Aging shall furnish all information reasonably
6 necessary to determine eligibility, including updated lists of
7 individuals who are eligible for services without charge under
8 this Section. Nothing in this Section shall relieve the
9 District from providing reduced fares as may be required by
10 federal law.

11 (Source: P.A. 96-1527, eff. 2-14-11; 97-689, eff. 6-14-12.)

12 (70 ILCS 3610/8.7)

13 Sec. 8.7. Transit services for disabled individuals.
14 Notwithstanding any law to the contrary, no later than 60 days
15 following the effective date of this amendatory Act of the 95th
16 General Assembly, all fixed route public transportation
17 services provided by, or under grant or purchase of service
18 contract of, any District shall be provided without charge to
19 all disabled persons who meet the income eligibility limitation
20 set forth in subsection (a-5) of Section 4 of the Senior
21 Citizens and Disabled Persons Property Tax Relief and
22 Pharmaceutical Assistance Act, under such procedures as shall
23 be prescribed by the District. The Department on Aging shall
24 furnish all information reasonably necessary to determine
25 eligibility, including updated lists of individuals who are

1 eligible for services without charge under this Section.

2 (Source: P.A. 97-689, eff. 6-14-12.)

3 Section 31. The Regional Transportation Authority Act is
4 amended by changing Sections 3A.15, 3A.16, 3B.14, and 3B.15 as
5 follows:

6 (70 ILCS 3615/3A.15)

7 Sec. 3A.15. Free services; eligibility.

8 (a) Notwithstanding any law to the contrary, no later than
9 60 days following the effective date of this amendatory Act of
10 the 95th General Assembly and until subsection (b) is
11 implemented, any fixed route public transportation services
12 provided by, or under grant or purchase of service contracts
13 of, the Suburban Bus Board shall be provided without charge to
14 all senior citizens of the Metropolitan Region aged 65 and
15 older, under such conditions as shall be prescribed by the
16 Suburban Bus Board.

17 (b) Notwithstanding any law to the contrary, no later than
18 180 days following the effective date of this amendatory Act of
19 the 96th General Assembly, any fixed route public
20 transportation services provided by, or under grant or purchase
21 of service contracts of, the Suburban Bus Board shall be
22 provided without charge to senior citizens aged 65 and older
23 who meet the income eligibility limitation set forth in
24 subsection (a-5) of Section 4 of the Senior Citizens and

1 Disabled Persons Property Tax Relief and Pharmaceutical
2 Assistance Act, under such conditions as shall be prescribed by
3 the Suburban Bus Board. The Department on Aging shall furnish
4 all information reasonably necessary to determine eligibility,
5 including updated lists of individuals who are eligible for
6 services without charge under this Section. Nothing in this
7 Section shall relieve the Suburban Bus Board from providing
8 reduced fares as may be required by federal law.

9 (Source: P.A. 96-1527, eff. 2-14-11; 97-689, eff. 6-14-12.)

10 (70 ILCS 3615/3A.16)

11 Sec. 3A.16. Transit services for disabled individuals.
12 Notwithstanding any law to the contrary, no later than 60 days
13 following the effective date of this amendatory Act of the 95th
14 General Assembly, all fixed route public transportation
15 services provided by, or under grant or purchase of service
16 contract of, the Suburban Bus Board shall be provided without
17 charge to all disabled persons who meet the income eligibility
18 limitation set forth in subsection (a-5) of Section 4 of the
19 Senior Citizens and Disabled Persons Property Tax Relief and
20 Pharmaceutical Assistance Act, under such procedures as shall
21 be prescribed by the Board. The Department on Aging shall
22 furnish all information reasonably necessary to determine
23 eligibility, including updated lists of individuals who are
24 eligible for services without charge under this Section.

25 (Source: P.A. 97-689, eff. 6-14-12.)

1 (70 ILCS 3615/3B.14)

2 Sec. 3B.14. Free services; eligibility.

3 (a) Notwithstanding any law to the contrary, no later than
4 60 days following the effective date of this amendatory Act of
5 the 95th General Assembly and until subsection (b) is
6 implemented, any fixed route public transportation services
7 provided by, or under grant or purchase of service contracts
8 of, the Commuter Rail Board shall be provided without charge to
9 all senior citizens of the Metropolitan Region aged 65 and
10 older, under such conditions as shall be prescribed by the
11 Commuter Rail Board.

12 (b) Notwithstanding any law to the contrary, no later than
13 180 days following the effective date of this amendatory Act of
14 the 96th General Assembly, any fixed route public
15 transportation services provided by, or under grant or purchase
16 of service contracts of, the Commuter Rail Board shall be
17 provided without charge to senior citizens aged 65 and older
18 who meet the income eligibility limitation set forth in
19 subsection (a-5) of Section 4 of the Senior Citizens and
20 Disabled Persons Property Tax Relief and Pharmaceutical
21 Assistance Act, under such conditions as shall be prescribed by
22 the Commuter Rail Board. The Department on Aging shall furnish
23 all information reasonably necessary to determine eligibility,
24 including updated lists of individuals who are eligible for
25 services without charge under this Section. Nothing in this

1 Section shall relieve the Commuter Rail Board from providing
2 reduced fares as may be required by federal law.

3 (Source: P.A. 96-1527, eff. 2-14-11; 97-689, eff. 6-14-12.)

4 (70 ILCS 3615/3B.15)

5 Sec. 3B.15. Transit services for disabled individuals.
6 Notwithstanding any law to the contrary, no later than 60 days
7 following the effective date of this amendatory Act of the 95th
8 General Assembly, all fixed route public transportation
9 services provided by, or under grant or purchase of service
10 contract of, the Commuter Rail Board shall be provided without
11 charge to all disabled persons who meet the income eligibility
12 limitation set forth in subsection (a-5) of Section 4 of the
13 Senior Citizens and Disabled Persons Property Tax Relief and
14 Pharmaceutical Assistance Act, under such procedures as shall
15 be prescribed by the Board. The Department on Aging shall
16 furnish all information reasonably necessary to determine
17 eligibility, including updated lists of individuals who are
18 eligible for services without charge under this Section.

19 (Source: P.A. 97-689, eff. 6-14-12.)

20 Section 32. The Senior Citizen Courses Act is amended by
21 changing Section 1 as follows:

22 (110 ILCS 990/1) (from Ch. 144, par. 1801)

23 Sec. 1. Definitions. For the purposes of this Act:

1 (a) "Public institutions of higher education" means the
2 University of Illinois, Southern Illinois University, Chicago
3 State University, Eastern Illinois University, Governors State
4 University, Illinois State University, Northeastern Illinois
5 University, Northern Illinois University, Western Illinois
6 University, and the public community colleges subject to the
7 "Public Community College Act".

8 (b) "Credit Course" means any program of study for which
9 public institutions of higher education award credit hours.

10 (c) "Senior citizen" means any person 65 years or older
11 whose annual household income is less than the threshold amount
12 provided in Section 4 of the "Senior Citizens and Disabled
13 Persons Property Tax Relief and Pharmaceutical Assistance
14 Act", approved July 17, 1972, as amended.

15 (Source: P.A. 97-689, eff. 6-14-12.)

16 Section 33. The Citizens Utility Board Act is amended by
17 changing Section 9 as follows:

18 (220 ILCS 10/9) (from Ch. 111 2/3, par. 909)

19 Sec. 9. Mailing procedure.

20 (1) As used in this Section:

21 (a) "Enclosure" means a card, leaflet, envelope or
22 combination thereof furnished by the corporation under
23 this Section.

24 (b) "Mailing" means any communication by a State

1 agency, other than a mailing made under the Senior Citizens
2 and Disabled Persons Property Tax Relief and
3 Pharmaceutical Assistance Act, that is sent through the
4 United States Postal Service to more than 50,000 persons
5 within a 12-month period.

6 (c) "State agency" means any officer, department,
7 board, commission, institution or entity of the executive
8 or legislative branches of State government.

9 (2) To accomplish its powers and duties under Section 5
10 this Act, the corporation, subject to the following
11 limitations, may prepare and furnish to any State agency an
12 enclosure to be included with a mailing by that agency.

13 (a) A State agency furnished with an enclosure shall
14 include the enclosure within the mailing designated by the
15 corporation.

16 (b) An enclosure furnished by the corporation under
17 this Section shall be provided to the State agency a
18 reasonable period of time in advance of the mailing.

19 (c) An enclosure furnished by the corporation under
20 this Section shall be limited to informing the reader of
21 the purpose, nature and activities of the corporation as
22 set forth in this Act and informing the reader that it may
23 become a member in the corporation, maintain membership in
24 the corporation and contribute money to the corporation
25 directly.

26 (d) Prior to furnishing an enclosure to the State

1 agency, the corporation shall seek and obtain approval of
2 the content of the enclosure from the Illinois Commerce
3 Commission. The Commission shall approve the enclosure if
4 it determines that the enclosure (i) is not false or
5 misleading and (ii) satisfies the requirements of this Act.
6 The Commission shall be deemed to have approved the
7 enclosure unless it disapproves the enclosure within 14
8 days from the date of receipt.

9 (3) The corporation shall reimburse each State agency for
10 all reasonable incremental costs incurred by the State agency
11 in complying with this Section above the agency's normal
12 mailing and handling costs, provided that:

13 (a) The State agency shall first furnish the
14 corporation with an itemized accounting of such additional
15 cost; and

16 (b) The corporation shall not be required to reimburse
17 the State agency for postage costs if the weight of the
18 corporation's enclosure does not exceed .35 ounce
19 avoirdupois. If the corporation's enclosure exceeds that
20 weight, then it shall only be required to reimburse the
21 State agency for postage cost over and above what the
22 agency's postage cost would have been had the enclosure
23 weighed only .35 ounce avoirdupois.

24 (Source: P.A. 96-804, eff. 1-1-10; 97-689, eff. 6-14-12.)

25 Section 35. The Illinois Public Aid Code is amended by

1 changing Sections 3-1.2, 3-5, 4-1.6, 4-2, 5-2, 5-4, 5A-8,
2 6-1.2, 6-2, and 12-9 as follows:

3 (305 ILCS 5/3-1.2) (from Ch. 23, par. 3-1.2)

4 Sec. 3-1.2. Need. Income available to the person, when
5 added to contributions in money, substance, or services from
6 other sources, including contributions from legally
7 responsible relatives, must be insufficient to equal the grant
8 amount established by Department regulation for such person.

9 In determining earned income to be taken into account,
10 consideration shall be given to any expenses reasonably
11 attributable to the earning of such income. If federal law or
12 regulations permit or require exemption of earned or other
13 income and resources, the Illinois Department shall provide by
14 rule and regulation that the amount of income to be disregarded
15 be increased (1) to the maximum extent so required and (2) to
16 the maximum extent permitted by federal law or regulation in
17 effect as of the date this Amendatory Act becomes law. The
18 Illinois Department may also provide by rule and regulation
19 that the amount of resources to be disregarded be increased to
20 the maximum extent so permitted or required. Subject to federal
21 approval, resources (for example, land, buildings, equipment,
22 supplies, or tools), including farmland property and personal
23 property used in the income-producing operations related to the
24 farmland (for example, equipment and supplies, motor vehicles,
25 or tools), necessary for self-support, up to \$6,000 of the

1 person's equity in the income-producing property, provided
2 that the property produces a net annual income of at least 6%
3 of the excluded equity value of the property, are exempt.
4 Equity value in excess of \$6,000 shall not be excluded if the
5 activity produces income that is less than 6% of the exempt
6 equity due to reasons beyond the person's control (for example,
7 the person's illness or crop failure) and there is a reasonable
8 expectation that the property will again produce income equal
9 to or greater than 6% of the equity value (for example, a
10 medical prognosis that the person is expected to respond to
11 treatment or that drought-resistant corn will be planted). If
12 the person owns more than one piece of property and each
13 produces income, each piece of property shall be looked at to
14 determine whether the 6% rule is met, and then the amounts of
15 the person's equity in all of those properties shall be totaled
16 to determine whether the total equity is \$6,000 or less. The
17 total equity value of all properties that is exempt shall be
18 limited to \$6,000.

19 In determining the resources of an individual or any
20 dependents, the Department shall exclude from consideration
21 the value of funeral and burial spaces, funeral and burial
22 insurance the proceeds of which can only be used to pay the
23 funeral and burial expenses of the insured and funds
24 specifically set aside for the funeral and burial arrangements
25 of the individual or his or her dependents, including prepaid
26 funeral and burial plans, to the same extent that such items

1 are excluded from consideration under the federal Supplemental
2 Security Income program (SSI).

3 Prepaid funeral or burial contracts are exempt to the
4 following extent:

5 (1) Funds in a revocable prepaid funeral or burial
6 contract are exempt up to \$1,500, except that any portion
7 of a contract that clearly represents the purchase of
8 burial space, as that term is defined for purposes of the
9 Supplemental Security Income program, is exempt regardless
10 of value.

11 (2) Funds in an irrevocable prepaid funeral or burial
12 contract are exempt up to \$5,874, except that any portion
13 of a contract that clearly represents the purchase of
14 burial space, as that term is defined for purposes of the
15 Supplemental Security Income program, is exempt regardless
16 of value. This amount shall be adjusted annually for any
17 increase in the Consumer Price Index. The amount exempted
18 shall be limited to the price of the funeral goods and
19 services to be provided upon death. The contract must
20 provide a complete description of the funeral goods and
21 services to be provided and the price thereof. Any amount
22 in the contract not so specified shall be treated as a
23 transfer of assets for less than fair market value.

24 (3) A prepaid, guaranteed-price funeral or burial
25 contract, funded by an irrevocable assignment of a person's
26 life insurance policy to a trust, is exempt. The amount

1 exempted shall be limited to the amount of the insurance
2 benefit designated for the cost of the funeral goods and
3 services to be provided upon the person's death. The
4 contract must provide a complete description of the funeral
5 goods and services to be provided and the price thereof.
6 Any amount in the contract not so specified shall be
7 treated as a transfer of assets for less than fair market
8 value. The trust must include a statement that, upon the
9 death of the person, the State will receive all amounts
10 remaining in the trust, including any remaining payable
11 proceeds under the insurance policy up to an amount equal
12 to the total medical assistance paid on behalf of the
13 person. The trust is responsible for ensuring that the
14 provider of funeral services under the contract receives
15 the proceeds of the policy when it provides the funeral
16 goods and services specified under the contract. The
17 irrevocable assignment of ownership of the insurance
18 policy must be acknowledged by the insurance company.

19 Notwithstanding any other provision of this Code to the
20 contrary, an irrevocable trust containing the resources of a
21 person who is determined to have a disability shall be
22 considered exempt from consideration. Such trust must be
23 established and managed by a non-profit association that pools
24 funds but maintains a separate account for each beneficiary.
25 The trust may be established by the person, a parent,
26 grandparent, legal guardian, or court. It must be established

1 for the sole benefit of the person and language contained in
2 the trust shall stipulate that any amount remaining in the
3 trust (up to the amount expended by the Department on medical
4 assistance) that is not retained by the trust for reasonable
5 administrative costs related to wrapping up the affairs of the
6 subaccount shall be paid to the Department upon the death of
7 the person. After a person reaches age 65, any funding by or on
8 behalf of the person to the trust shall be treated as a
9 transfer of assets for less than fair market value unless the
10 person is a ward of a county public guardian or the State
11 guardian pursuant to Section 13-5 of the Probate Act of 1975 or
12 Section 30 of the Guardianship and Advocacy Act and lives in
13 the community, or the person is a ward of a county public
14 guardian or the State guardian pursuant to Section 13-5 of the
15 Probate Act of 1975 or Section 30 of the Guardianship and
16 Advocacy Act and a court has found that any expenditures from
17 the trust will maintain or enhance the person's quality of
18 life. If the trust contains proceeds from a personal injury
19 settlement, any Department charge must be satisfied in order
20 for the transfer to the trust to be treated as a transfer for
21 fair market value.

22 The homestead shall be exempt from consideration except to
23 the extent that it meets the income and shelter needs of the
24 person. "Homestead" means the dwelling house and contiguous
25 real estate owned and occupied by the person, regardless of its
26 value. Subject to federal approval, a person shall not be

1 eligible for long-term care services, however, if the person's
2 equity interest in his or her homestead exceeds the minimum
3 home equity as allowed and increased annually under federal
4 law. Subject to federal approval, on and after the effective
5 date of this amendatory Act of the 97th General Assembly,
6 homestead property transferred to a trust shall no longer be
7 considered homestead property.

8 Occasional or irregular gifts in cash, goods or services
9 from persons who are not legally responsible relatives which
10 are of nominal value or which do not have significant effect in
11 meeting essential requirements shall be disregarded. The
12 eligibility of any applicant for or recipient of public aid
13 under this Article is not affected by the payment of any grant
14 under the "Senior Citizens and Disabled Persons Property Tax
15 Relief and Pharmaceutical Assistance Act" or any distributions
16 or items of income described under subparagraph (X) of
17 paragraph (2) of subsection (a) of Section 203 of the Illinois
18 Income Tax Act.

19 The Illinois Department may, after appropriate
20 investigation, establish and implement a consolidated standard
21 to determine need and eligibility for and amount of benefits
22 under this Article or a uniform cash supplement to the federal
23 Supplemental Security Income program for all or any part of the
24 then current recipients under this Article; provided, however,
25 that the establishment or implementation of such a standard or
26 supplement shall not result in reductions in benefits under

1 this Article for the then current recipients of such benefits.

2 (Source: P.A. 97-689, eff. 6-14-12.)

3 (305 ILCS 5/3-5) (from Ch. 23, par. 3-5)

4 Sec. 3-5. Amount of aid. The amount and nature of financial
5 aid granted to or in behalf of aged, blind, or disabled persons
6 shall be determined in accordance with the standards, grant
7 amounts, rules and regulations of the Illinois Department. Due
8 regard shall be given to the requirements and conditions
9 existing in each case, and to the amount of property owned and
10 the income, money contributions, and other support, and
11 resources received or obtainable by the person, from whatever
12 source. However, the amount and nature of any financial aid is
13 not affected by the payment of any grant under the "Senior
14 Citizens and Disabled Persons Property Tax Relief and
15 Pharmaceutical Assistance Act" or any distributions or items of
16 income described under subparagraph (X) of paragraph (2) of
17 subsection (a) of Section 203 of the Illinois Income Tax Act.
18 The aid shall be sufficient, when added to all other income,
19 money contributions and support, to provide the person with a
20 grant in the amount established by Department regulation for
21 such a person, based upon standards providing a livelihood
22 compatible with health and well-being. Financial aid under this
23 Article granted to persons who have been found ineligible for
24 Supplemental Security Income (SSI) due to expiration of the
25 period of eligibility for refugees and asylees pursuant to 8

1 U.S.C. 1612(a)(2) shall not exceed \$500 per month.

2 (Source: P.A. 97-689, eff. 6-14-12.)

3 (305 ILCS 5/4-1.6) (from Ch. 23, par. 4-1.6)

4 Sec. 4-1.6. Need. Income available to the family as defined
5 by the Illinois Department by rule, or to the child in the case
6 of a child removed from his or her home, when added to
7 contributions in money, substance or services from other
8 sources, including income available from parents absent from
9 the home or from a stepparent, contributions made for the
10 benefit of the parent or other persons necessary to provide
11 care and supervision to the child, and contributions from
12 legally responsible relatives, must be equal to or less than
13 the grant amount established by Department regulation for such
14 a person. For purposes of eligibility for aid under this
15 Article, the Department shall disregard all earned income
16 between the grant amount and 50% of the Federal Poverty Level.

17 In considering income to be taken into account,
18 consideration shall be given to any expenses reasonably
19 attributable to the earning of such income. Three-fourths of
20 the earned income of a household eligible for aid under this
21 Article shall be disregarded when determining the level of
22 assistance for which a household is eligible. The Illinois
23 Department may also permit all or any portion of earned or
24 other income to be set aside for the future identifiable needs
25 of a child. The Illinois Department may provide by rule and

1 regulation for the exemptions thus permitted or required. The
2 eligibility of any applicant for or recipient of public aid
3 under this Article is not affected by the payment of any grant
4 under the "Senior Citizens and Disabled Persons Property Tax
5 Relief and Pharmaceutical Assistance Act" or any distributions
6 or items of income described under subparagraph (X) of
7 paragraph (2) of subsection (a) of Section 203 of the Illinois
8 Income Tax Act.

9 The Illinois Department may, by rule, set forth criteria
10 under which an assistance unit is ineligible for cash
11 assistance under this Article for a specified number of months
12 due to the receipt of a lump sum payment.

13 (Source: P.A. 96-866, eff. 7-1-10; 97-689, eff. 6-14-12.)

14 (305 ILCS 5/4-2) (from Ch. 23, par. 4-2)

15 Sec. 4-2. Amount of aid.

16 (a) The amount and nature of financial aid shall be
17 determined in accordance with the grant amounts, rules and
18 regulations of the Illinois Department. Due regard shall be
19 given to the self-sufficiency requirements of the family and to
20 the income, money contributions and other support and resources
21 available, from whatever source. However, the amount and nature
22 of any financial aid is not affected by the payment of any
23 grant under the "Senior Citizens and Disabled Persons Property
24 Tax Relief and Pharmaceutical Assistance Act" or any
25 distributions or items of income described under subparagraph

1 (X) of paragraph (2) of subsection (a) of Section 203 of the
2 Illinois Income Tax Act. The aid shall be sufficient, when
3 added to all other income, money contributions and support to
4 provide the family with a grant in the amount established by
5 Department regulation.

6 Subject to appropriation, beginning on July 1, 2008, the
7 Department of Human Services shall increase TANF grant amounts
8 in effect on June 30, 2008 by 15%. The Department is authorized
9 to administer this increase but may not otherwise adopt any
10 rule to implement this increase.

11 (b) The Illinois Department may conduct special projects,
12 which may be known as Grant Diversion Projects, under which
13 recipients of financial aid under this Article are placed in
14 jobs and their grants are diverted to the employer who in turn
15 makes payments to the recipients in the form of salary or other
16 employment benefits. The Illinois Department shall by rule
17 specify the terms and conditions of such Grant Diversion
18 Projects. Such projects shall take into consideration and be
19 coordinated with the programs administered under the Illinois
20 Emergency Employment Development Act.

21 (c) The amount and nature of the financial aid for a child
22 requiring care outside his own home shall be determined in
23 accordance with the rules and regulations of the Illinois
24 Department, with due regard to the needs and requirements of
25 the child in the foster home or institution in which he has
26 been placed.

1 (d) If the Department establishes grants for family units
2 consisting exclusively of a pregnant woman with no dependent
3 child or including her husband if living with her, the grant
4 amount for such a unit shall be equal to the grant amount for
5 an assistance unit consisting of one adult, or 2 persons if the
6 husband is included. Other than as herein described, an unborn
7 child shall not be counted in determining the size of an
8 assistance unit or for calculating grants.

9 Payments for basic maintenance requirements of a child or
10 children and the relative with whom the child or children are
11 living shall be prescribed, by rule, by the Illinois
12 Department.

13 Grants under this Article shall not be supplemented by
14 General Assistance provided under Article VI.

15 (e) Grants shall be paid to the parent or other person with
16 whom the child or children are living, except for such amount
17 as is paid in behalf of the child or his parent or other
18 relative to other persons or agencies pursuant to this Code or
19 the rules and regulations of the Illinois Department.

20 (f) Subject to subsection (f-5), an assistance unit,
21 receiving financial aid under this Article or temporarily
22 ineligible to receive aid under this Article under a penalty
23 imposed by the Illinois Department for failure to comply with
24 the eligibility requirements or that voluntarily requests
25 termination of financial assistance under this Article and
26 becomes subsequently eligible for assistance within 9 months,

1 shall not receive any increase in the amount of aid solely on
2 account of the birth of a child; except that an increase is not
3 prohibited when the birth is (i) of a child of a pregnant woman
4 who became eligible for aid under this Article during the
5 pregnancy, or (ii) of a child born within 10 months after the
6 date of implementation of this subsection, or (iii) of a child
7 conceived after a family became ineligible for assistance due
8 to income or marriage and at least 3 months of ineligibility
9 expired before any reapplication for assistance. This
10 subsection does not, however, prevent a unit from receiving a
11 general increase in the amount of aid that is provided to all
12 recipients of aid under this Article.

13 The Illinois Department is authorized to transfer funds,
14 and shall use any budgetary savings attributable to not
15 increasing the grants due to the births of additional children,
16 to supplement existing funding for employment and training
17 services for recipients of aid under this Article IV. The
18 Illinois Department shall target, to the extent the
19 supplemental funding allows, employment and training services
20 to the families who do not receive a grant increase after the
21 birth of a child. In addition, the Illinois Department shall
22 provide, to the extent the supplemental funding allows, such
23 families with up to 24 months of transitional child care
24 pursuant to Illinois Department rules. All remaining
25 supplemental funds shall be used for employment and training
26 services or transitional child care support.

1 In making the transfers authorized by this subsection, the
2 Illinois Department shall first determine, pursuant to
3 regulations adopted by the Illinois Department for this
4 purpose, the amount of savings attributable to not increasing
5 the grants due to the births of additional children. Transfers
6 may be made from General Revenue Fund appropriations for
7 distributive purposes authorized by Article IV of this Code
8 only to General Revenue Fund appropriations for employability
9 development services including operating and administrative
10 costs and related distributive purposes under Article IXA of
11 this Code. The Director, with the approval of the Governor,
12 shall certify the amount and affected line item appropriations
13 to the State Comptroller.

14 Nothing in this subsection shall be construed to prohibit
15 the Illinois Department from using funds under this Article IV
16 to provide assistance in the form of vouchers that may be used
17 to pay for goods and services deemed by the Illinois
18 Department, by rule, as suitable for the care of the child such
19 as diapers, clothing, school supplies, and cribs.

20 (f-5) Subsection (f) shall not apply to affect the monthly
21 assistance amount of any family as a result of the birth of a
22 child on or after January 1, 2004. As resources permit after
23 January 1, 2004, the Department may cease applying subsection
24 (f) to limit assistance to families receiving assistance under
25 this Article on January 1, 2004, with respect to children born
26 prior to that date. In any event, subsection (f) shall be

1 completely inoperative on and after July 1, 2007.

2 (g) (Blank).

3 (h) Notwithstanding any other provision of this Code, the
4 Illinois Department is authorized to reduce payment levels used
5 to determine cash grants under this Article after December 31
6 of any fiscal year if the Illinois Department determines that
7 the caseload upon which the appropriations for the current
8 fiscal year are based have increased by more than 5% and the
9 appropriation is not sufficient to ensure that cash benefits
10 under this Article do not exceed the amounts appropriated for
11 those cash benefits. Reductions in payment levels may be
12 accomplished by emergency rule under Section 5-45 of the
13 Illinois Administrative Procedure Act, except that the
14 limitation on the number of emergency rules that may be adopted
15 in a 24-month period shall not apply and the provisions of
16 Sections 5-115 and 5-125 of the Illinois Administrative
17 Procedure Act shall not apply. Increases in payment levels
18 shall be accomplished only in accordance with Section 5-40 of
19 the Illinois Administrative Procedure Act. Before any rule to
20 increase payment levels promulgated under this Section shall
21 become effective, a joint resolution approving the rule must be
22 adopted by a roll call vote by a majority of the members
23 elected to each chamber of the General Assembly.

24 (Source: P.A. 96-1000, eff. 7-2-10; 97-689, eff. 6-14-12.)

25 (305 ILCS 5/5-2) (from Ch. 23, par. 5-2)

1 Sec. 5-2. Classes of Persons Eligible. Medical assistance
2 under this Article shall be available to any of the following
3 classes of persons in respect to whom a plan for coverage has
4 been submitted to the Governor by the Illinois Department and
5 approved by him:

6 1. Recipients of basic maintenance grants under
7 Articles III and IV.

8 2. Persons otherwise eligible for basic maintenance
9 under Articles III and IV, excluding any eligibility
10 requirements that are inconsistent with any federal law or
11 federal regulation, as interpreted by the U.S. Department
12 of Health and Human Services, but who fail to qualify
13 thereunder on the basis of need or who qualify but are not
14 receiving basic maintenance under Article IV, and who have
15 insufficient income and resources to meet the costs of
16 necessary medical care, including but not limited to the
17 following:

18 (a) All persons otherwise eligible for basic
19 maintenance under Article III but who fail to qualify
20 under that Article on the basis of need and who meet
21 either of the following requirements:

22 (i) their income, as determined by the
23 Illinois Department in accordance with any federal
24 requirements, is equal to or less than 70% in
25 fiscal year 2001, equal to or less than 85% in
26 fiscal year 2002 and until a date to be determined

1 by the Department by rule, and equal to or less
2 than 100% beginning on the date determined by the
3 Department by rule, of the nonfarm income official
4 poverty line, as defined by the federal Office of
5 Management and Budget and revised annually in
6 accordance with Section 673(2) of the Omnibus
7 Budget Reconciliation Act of 1981, applicable to
8 families of the same size; or

9 (ii) their income, after the deduction of
10 costs incurred for medical care and for other types
11 of remedial care, is equal to or less than 70% in
12 fiscal year 2001, equal to or less than 85% in
13 fiscal year 2002 and until a date to be determined
14 by the Department by rule, and equal to or less
15 than 100% beginning on the date determined by the
16 Department by rule, of the nonfarm income official
17 poverty line, as defined in item (i) of this
18 subparagraph (a).

19 (b) All persons who, excluding any eligibility
20 requirements that are inconsistent with any federal
21 law or federal regulation, as interpreted by the U.S.
22 Department of Health and Human Services, would be
23 determined eligible for such basic maintenance under
24 Article IV by disregarding the maximum earned income
25 permitted by federal law.

26 3. Persons who would otherwise qualify for Aid to the

1 Medically Indigent under Article VII.

2 4. Persons not eligible under any of the preceding
3 paragraphs who fall sick, are injured, or die, not having
4 sufficient money, property or other resources to meet the
5 costs of necessary medical care or funeral and burial
6 expenses.

7 5.(a) Women during pregnancy, after the fact of
8 pregnancy has been determined by medical diagnosis, and
9 during the 60-day period beginning on the last day of the
10 pregnancy, together with their infants and children born
11 after September 30, 1983, whose income and resources are
12 insufficient to meet the costs of necessary medical care to
13 the maximum extent possible under Title XIX of the Federal
14 Social Security Act.

15 (b) The Illinois Department and the Governor shall
16 provide a plan for coverage of the persons eligible under
17 paragraph 5(a) by April 1, 1990. Such plan shall provide
18 ambulatory prenatal care to pregnant women during a
19 presumptive eligibility period and establish an income
20 eligibility standard that is equal to 133% of the nonfarm
21 income official poverty line, as defined by the federal
22 Office of Management and Budget and revised annually in
23 accordance with Section 673(2) of the Omnibus Budget
24 Reconciliation Act of 1981, applicable to families of the
25 same size, provided that costs incurred for medical care
26 are not taken into account in determining such income

1 eligibility.

2 (c) The Illinois Department may conduct a
3 demonstration in at least one county that will provide
4 medical assistance to pregnant women, together with their
5 infants and children up to one year of age, where the
6 income eligibility standard is set up to 185% of the
7 nonfarm income official poverty line, as defined by the
8 federal Office of Management and Budget. The Illinois
9 Department shall seek and obtain necessary authorization
10 provided under federal law to implement such a
11 demonstration. Such demonstration may establish resource
12 standards that are not more restrictive than those
13 established under Article IV of this Code.

14 6. Persons under the age of 18 who fail to qualify as
15 dependent under Article IV and who have insufficient income
16 and resources to meet the costs of necessary medical care
17 to the maximum extent permitted under Title XIX of the
18 Federal Social Security Act.

19 7. (Blank).

20 8. Persons who become ineligible for basic maintenance
21 assistance under Article IV of this Code in programs
22 administered by the Illinois Department due to employment
23 earnings and persons in assistance units comprised of
24 adults and children who become ineligible for basic
25 maintenance assistance under Article VI of this Code due to
26 employment earnings. The plan for coverage for this class

1 of persons shall:

2 (a) extend the medical assistance coverage for up
3 to 12 months following termination of basic
4 maintenance assistance; and

5 (b) offer persons who have initially received 6
6 months of the coverage provided in paragraph (a) above,
7 the option of receiving an additional 6 months of
8 coverage, subject to the following:

9 (i) such coverage shall be pursuant to
10 provisions of the federal Social Security Act;

11 (ii) such coverage shall include all services
12 covered while the person was eligible for basic
13 maintenance assistance;

14 (iii) no premium shall be charged for such
15 coverage; and

16 (iv) such coverage shall be suspended in the
17 event of a person's failure without good cause to
18 file in a timely fashion reports required for this
19 coverage under the Social Security Act and
20 coverage shall be reinstated upon the filing of
21 such reports if the person remains otherwise
22 eligible.

23 9. Persons with acquired immunodeficiency syndrome
24 (AIDS) or with AIDS-related conditions with respect to whom
25 there has been a determination that but for home or
26 community-based services such individuals would require

1 the level of care provided in an inpatient hospital,
2 skilled nursing facility or intermediate care facility the
3 cost of which is reimbursed under this Article. Assistance
4 shall be provided to such persons to the maximum extent
5 permitted under Title XIX of the Federal Social Security
6 Act.

7 10. Participants in the long-term care insurance
8 partnership program established under the Illinois
9 Long-Term Care Partnership Program Act who meet the
10 qualifications for protection of resources described in
11 Section 15 of that Act.

12 11. Persons with disabilities who are employed and
13 eligible for Medicaid, pursuant to Section
14 1902(a)(10)(A)(ii)(xv) of the Social Security Act, and,
15 subject to federal approval, persons with a medically
16 improved disability who are employed and eligible for
17 Medicaid pursuant to Section 1902(a)(10)(A)(ii)(xvi) of
18 the Social Security Act, as provided by the Illinois
19 Department by rule. In establishing eligibility standards
20 under this paragraph 11, the Department shall, subject to
21 federal approval:

22 (a) set the income eligibility standard at not
23 lower than 350% of the federal poverty level;

24 (b) exempt retirement accounts that the person
25 cannot access without penalty before the age of 59 1/2,
26 and medical savings accounts established pursuant to

1 26 U.S.C. 220;

2 (c) allow non-exempt assets up to \$25,000 as to
3 those assets accumulated during periods of eligibility
4 under this paragraph 11; and

5 (d) continue to apply subparagraphs (b) and (c) in
6 determining the eligibility of the person under this
7 Article even if the person loses eligibility under this
8 paragraph 11.

9 12. Subject to federal approval, persons who are
10 eligible for medical assistance coverage under applicable
11 provisions of the federal Social Security Act and the
12 federal Breast and Cervical Cancer Prevention and
13 Treatment Act of 2000. Those eligible persons are defined
14 to include, but not be limited to, the following persons:

15 (1) persons who have been screened for breast or
16 cervical cancer under the U.S. Centers for Disease
17 Control and Prevention Breast and Cervical Cancer
18 Program established under Title XV of the federal
19 Public Health Services Act in accordance with the
20 requirements of Section 1504 of that Act as
21 administered by the Illinois Department of Public
22 Health; and

23 (2) persons whose screenings under the above
24 program were funded in whole or in part by funds
25 appropriated to the Illinois Department of Public
26 Health for breast or cervical cancer screening.

1 "Medical assistance" under this paragraph 12 shall be
2 identical to the benefits provided under the State's
3 approved plan under Title XIX of the Social Security Act.
4 The Department must request federal approval of the
5 coverage under this paragraph 12 within 30 days after the
6 effective date of this amendatory Act of the 92nd General
7 Assembly.

8 In addition to the persons who are eligible for medical
9 assistance pursuant to subparagraphs (1) and (2) of this
10 paragraph 12, and to be paid from funds appropriated to the
11 Department for its medical programs, any uninsured person
12 as defined by the Department in rules residing in Illinois
13 who is younger than 65 years of age, who has been screened
14 for breast and cervical cancer in accordance with standards
15 and procedures adopted by the Department of Public Health
16 for screening, and who is referred to the Department by the
17 Department of Public Health as being in need of treatment
18 for breast or cervical cancer is eligible for medical
19 assistance benefits that are consistent with the benefits
20 provided to those persons described in subparagraphs (1)
21 and (2). Medical assistance coverage for the persons who
22 are eligible under the preceding sentence is not dependent
23 on federal approval, but federal moneys may be used to pay
24 for services provided under that coverage upon federal
25 approval.

26 13. Subject to appropriation and to federal approval,

1 persons living with HIV/AIDS who are not otherwise eligible
2 under this Article and who qualify for services covered
3 under Section 5-5.04 as provided by the Illinois Department
4 by rule.

5 14. Subject to the availability of funds for this
6 purpose, the Department may provide coverage under this
7 Article to persons who reside in Illinois who are not
8 eligible under any of the preceding paragraphs and who meet
9 the income guidelines of paragraph 2(a) of this Section and
10 (i) have an application for asylum pending before the
11 federal Department of Homeland Security or on appeal before
12 a court of competent jurisdiction and are represented
13 either by counsel or by an advocate accredited by the
14 federal Department of Homeland Security and employed by a
15 not-for-profit organization in regard to that application
16 or appeal, or (ii) are receiving services through a
17 federally funded torture treatment center. Medical
18 coverage under this paragraph 14 may be provided for up to
19 24 continuous months from the initial eligibility date so
20 long as an individual continues to satisfy the criteria of
21 this paragraph 14. If an individual has an appeal pending
22 regarding an application for asylum before the Department
23 of Homeland Security, eligibility under this paragraph 14
24 may be extended until a final decision is rendered on the
25 appeal. The Department may adopt rules governing the
26 implementation of this paragraph 14.

1 15. Family Care Eligibility.

2 (a) On and after July 1, 2012, a caretaker relative
3 who is 19 years of age or older when countable income
4 is at or below 133% of the Federal Poverty Level
5 Guidelines, as published annually in the Federal
6 Register, for the appropriate family size. A person may
7 not spend down to become eligible under this paragraph
8 15.

9 (b) Eligibility shall be reviewed annually.

10 (c) (Blank).

11 (d) (Blank).

12 (e) (Blank).

13 (f) (Blank).

14 (g) (Blank).

15 (h) (Blank).

16 (i) Following termination of an individual's
17 coverage under this paragraph 15, the individual must
18 be determined eligible before the person can be
19 re-enrolled.

20 16. Subject to appropriation, uninsured persons who
21 are not otherwise eligible under this Section who have been
22 certified and referred by the Department of Public Health
23 as having been screened and found to need diagnostic
24 evaluation or treatment, or both diagnostic evaluation and
25 treatment, for prostate or testicular cancer. For the
26 purposes of this paragraph 16, uninsured persons are those

1 who do not have creditable coverage, as defined under the
2 Health Insurance Portability and Accountability Act, or
3 have otherwise exhausted any insurance benefits they may
4 have had, for prostate or testicular cancer diagnostic
5 evaluation or treatment, or both diagnostic evaluation and
6 treatment. To be eligible, a person must furnish a Social
7 Security number. A person's assets are exempt from
8 consideration in determining eligibility under this
9 paragraph 16. Such persons shall be eligible for medical
10 assistance under this paragraph 16 for so long as they need
11 treatment for the cancer. A person shall be considered to
12 need treatment if, in the opinion of the person's treating
13 physician, the person requires therapy directed toward
14 cure or palliation of prostate or testicular cancer,
15 including recurrent metastatic cancer that is a known or
16 presumed complication of prostate or testicular cancer and
17 complications resulting from the treatment modalities
18 themselves. Persons who require only routine monitoring
19 services are not considered to need treatment. "Medical
20 assistance" under this paragraph 16 shall be identical to
21 the benefits provided under the State's approved plan under
22 Title XIX of the Social Security Act. Notwithstanding any
23 other provision of law, the Department (i) does not have a
24 claim against the estate of a deceased recipient of
25 services under this paragraph 16 and (ii) does not have a
26 lien against any homestead property or other legal or

1 equitable real property interest owned by a recipient of
2 services under this paragraph 16.

3 In implementing the provisions of Public Act 96-20, the
4 Department is authorized to adopt only those rules necessary,
5 including emergency rules. Nothing in Public Act 96-20 permits
6 the Department to adopt rules or issue a decision that expands
7 eligibility for the FamilyCare Program to a person whose income
8 exceeds 185% of the Federal Poverty Level as determined from
9 time to time by the U.S. Department of Health and Human
10 Services, unless the Department is provided with express
11 statutory authority.

12 The Illinois Department and the Governor shall provide a
13 plan for coverage of the persons eligible under paragraph 7 as
14 soon as possible after July 1, 1984.

15 The eligibility of any such person for medical assistance
16 under this Article is not affected by the payment of any grant
17 under the Senior Citizens and Disabled Persons Property Tax
18 Relief and Pharmaceutical Assistance Act or any distributions
19 or items of income described under subparagraph (X) of
20 paragraph (2) of subsection (a) of Section 203 of the Illinois
21 Income Tax Act. The Department shall by rule establish the
22 amounts of assets to be disregarded in determining eligibility
23 for medical assistance, which shall at a minimum equal the
24 amounts to be disregarded under the Federal Supplemental
25 Security Income Program. The amount of assets of a single
26 person to be disregarded shall not be less than \$2,000, and the

1 amount of assets of a married couple to be disregarded shall
2 not be less than \$3,000.

3 To the extent permitted under federal law, any person found
4 guilty of a second violation of Article VIIIA shall be
5 ineligible for medical assistance under this Article, as
6 provided in Section 8A-8.

7 The eligibility of any person for medical assistance under
8 this Article shall not be affected by the receipt by the person
9 of donations or benefits from fundraisers held for the person
10 in cases of serious illness, as long as neither the person nor
11 members of the person's family have actual control over the
12 donations or benefits or the disbursement of the donations or
13 benefits.

14 (Source: P.A. 96-20, eff. 6-30-09; 96-181, eff. 8-10-09;
15 96-328, eff. 8-11-09; 96-567, eff. 1-1-10; 96-1000, eff.
16 7-2-10; 96-1123, eff. 1-1-11; 96-1270, eff. 7-26-10; 97-48,
17 eff. 6-28-11; 97-74, eff. 6-30-11; 97-333, eff. 8-12-11;
18 97-689, eff. 6-14-12.)

19 (305 ILCS 5/5-4) (from Ch. 23, par. 5-4)

20 Sec. 5-4. Amount and nature of medical assistance.

21 (a) The amount and nature of medical assistance shall be
22 determined in accordance with the standards, rules, and
23 regulations of the Department of Healthcare and Family
24 Services, with due regard to the requirements and conditions in
25 each case, including contributions available from legally

1 responsible relatives. However, the amount and nature of such
2 medical assistance shall not be affected by the payment of any
3 grant under the Senior Citizens and Disabled Persons Property
4 Tax Relief and Pharmaceutical Assistance Act or any
5 distributions or items of income described under subparagraph
6 (X) of paragraph (2) of subsection (a) of Section 203 of the
7 Illinois Income Tax Act. The amount and nature of medical
8 assistance shall not be affected by the receipt of donations or
9 benefits from fundraisers in cases of serious illness, as long
10 as neither the person nor members of the person's family have
11 actual control over the donations or benefits or the
12 disbursement of the donations or benefits.

13 In determining the income and resources available to the
14 institutionalized spouse and to the community spouse, the
15 Department of Healthcare and Family Services shall follow the
16 procedures established by federal law. If an institutionalized
17 spouse or community spouse refuses to comply with the
18 requirements of Title XIX of the federal Social Security Act
19 and the regulations duly promulgated thereunder by failing to
20 provide the total value of assets, including income and
21 resources, to the extent either the institutionalized spouse or
22 community spouse has an ownership interest in them pursuant to
23 42 U.S.C. 1396r-5, such refusal may result in the
24 institutionalized spouse being denied eligibility and
25 continuing to remain ineligible for the medical assistance
26 program based on failure to cooperate.

1 Subject to federal approval, the community spouse resource
2 allowance shall be established and maintained at the higher of
3 \$109,560 or the minimum level permitted pursuant to Section
4 1924(f)(2) of the Social Security Act, as now or hereafter
5 amended, or an amount set after a fair hearing, whichever is
6 greater. The monthly maintenance allowance for the community
7 spouse shall be established and maintained at the higher of
8 \$2,739 per month or the minimum level permitted pursuant to
9 Section 1924(d)(3)(C) of the Social Security Act, as now or
10 hereafter amended, or an amount set after a fair hearing,
11 whichever is greater. Subject to the approval of the Secretary
12 of the United States Department of Health and Human Services,
13 the provisions of this Section shall be extended to persons who
14 but for the provision of home or community-based services under
15 Section 4.02 of the Illinois Act on the Aging, would require
16 the level of care provided in an institution, as is provided
17 for in federal law.

18 (b) Spousal support for institutionalized spouses
19 receiving medical assistance.

20 (i) The Department may seek support for an
21 institutionalized spouse, who has assigned his or her right
22 of support from his or her spouse to the State, from the
23 resources and income available to the community spouse.

24 (ii) The Department may bring an action in the circuit
25 court to establish support orders or itself establish
26 administrative support orders by any means and procedures

1 authorized in this Code, as applicable, except that the
2 standard and regulations for determining ability to
3 support in Section 10-3 shall not limit the amount of
4 support that may be ordered.

5 (iii) Proceedings may be initiated to obtain support,
6 or for the recovery of aid granted during the period such
7 support was not provided, or both, for the obtainment of
8 support and the recovery of the aid provided. Proceedings
9 for the recovery of aid may be taken separately or they may
10 be consolidated with actions to obtain support. Such
11 proceedings may be brought in the name of the person or
12 persons requiring support or may be brought in the name of
13 the Department, as the case requires.

14 (iv) The orders for the payment of moneys for the
15 support of the person shall be just and equitable and may
16 direct payment thereof for such period or periods of time
17 as the circumstances require, including support for a
18 period before the date the order for support is entered. In
19 no event shall the orders reduce the community spouse
20 resource allowance below the level established in
21 subsection (a) of this Section or an amount set after a
22 fair hearing, whichever is greater, or reduce the monthly
23 maintenance allowance for the community spouse below the
24 level permitted pursuant to subsection (a) of this Section.

25 (Source: P.A. 97-689, eff. 6-14-12.)

1 (305 ILCS 5/5A-8) (from Ch. 23, par. 5A-8)

2 Sec. 5A-8. Hospital Provider Fund.

3 (a) There is created in the State Treasury the Hospital
4 Provider Fund. Interest earned by the Fund shall be credited to
5 the Fund. The Fund shall not be used to replace any moneys
6 appropriated to the Medicaid program by the General Assembly.

7 (b) The Fund is created for the purpose of receiving moneys
8 in accordance with Section 5A-6 and disbursing moneys only for
9 the following purposes, notwithstanding any other provision of
10 law:

11 (1) For making payments to hospitals as required under
12 Articles V, V-A, VI, and XIV of this Code, under the
13 Children's Health Insurance Program Act, under the
14 Covering ALL KIDS Health Insurance Act, under the Senior
15 Citizens and Disabled Persons Property Tax Relief and
16 Pharmaceutical Assistance Act, and under the Senior
17 Citizens and Disabled Persons Property Tax Relief and
18 Pharmaceutical Assistance Act.

19 (2) For the reimbursement of moneys collected by the
20 Illinois Department from hospitals or hospital providers
21 through error or mistake in performing the activities
22 authorized under this Article and Article V of this Code.

23 (3) For payment of administrative expenses incurred by
24 the Illinois Department or its agent in performing the
25 activities authorized by this Article.

26 (4) For payments of any amounts which are reimbursable

1 to the federal government for payments from this Fund which
2 are required to be paid by State warrant.

3 (5) For making transfers, as those transfers are
4 authorized in the proceedings authorizing debt under the
5 Short Term Borrowing Act, but transfers made under this
6 paragraph (5) shall not exceed the principal amount of debt
7 issued in anticipation of the receipt by the State of
8 moneys to be deposited into the Fund.

9 (6) For making transfers to any other fund in the State
10 treasury, but transfers made under this paragraph (6) shall
11 not exceed the amount transferred previously from that
12 other fund into the Hospital Provider Fund.

13 (6.5) For making transfers to the Healthcare Provider
14 Relief Fund, except that transfers made under this
15 paragraph (6.5) shall not exceed \$60,000,000 in the
16 aggregate.

17 (7) For State fiscal years 2004 and 2005 for making
18 transfers to the Health and Human Services Medicaid Trust
19 Fund, including 20% of the moneys received from hospital
20 providers under Section 5A-4 and transferred into the
21 Hospital Provider Fund under Section 5A-6. For State fiscal
22 year 2006 for making transfers to the Health and Human
23 Services Medicaid Trust Fund of up to \$130,000,000 per year
24 of the moneys received from hospital providers under
25 Section 5A-4 and transferred into the Hospital Provider
26 Fund under Section 5A-6. Transfers under this paragraph

1 shall be made within 7 days after the payments have been
 2 received pursuant to the schedule of payments provided in
 3 subsection (a) of Section 5A-4.

4 (7.5) For State fiscal year 2007 for making transfers
 5 of the moneys received from hospital providers under
 6 Section 5A-4 and transferred into the Hospital Provider
 7 Fund under Section 5A-6 to the designated funds not
 8 exceeding the following amounts in that State fiscal year:

9 Health and Human Services

10	Medicaid Trust Fund	\$20,000,000
11	Long-Term Care Provider Fund	\$30,000,000
12	General Revenue Fund	\$80,000,000.

13 Transfers under this paragraph shall be made within 7
 14 days after the payments have been received pursuant to the
 15 schedule of payments provided in subsection (a) of Section
 16 5A-4.

17 (7.8) For State fiscal year 2008, for making transfers
 18 of the moneys received from hospital providers under
 19 Section 5A-4 and transferred into the Hospital Provider
 20 Fund under Section 5A-6 to the designated funds not
 21 exceeding the following amounts in that State fiscal year:

22 Health and Human Services

23	Medicaid Trust Fund	\$40,000,000
24	Long-Term Care Provider Fund	\$60,000,000
25	General Revenue Fund	\$160,000,000.

26 Transfers under this paragraph shall be made within 7

1 days after the payments have been received pursuant to the
 2 schedule of payments provided in subsection (a) of Section
 3 5A-4.

4 (7.9) For State fiscal years 2009 through 2014, for
 5 making transfers of the moneys received from hospital
 6 providers under Section 5A-4 and transferred into the
 7 Hospital Provider Fund under Section 5A-6 to the designated
 8 funds not exceeding the following amounts in that State
 9 fiscal year:

10	Health and Human Services	
11	Medicaid Trust Fund	\$20,000,000
12	Long Term Care Provider Fund	\$30,000,000
13	General Revenue Fund	\$80,000,000.

14 Except as provided under this paragraph, transfers
 15 under this paragraph shall be made within 7 business days
 16 after the payments have been received pursuant to the
 17 schedule of payments provided in subsection (a) of Section
 18 5A-4. For State fiscal year 2009, transfers to the General
 19 Revenue Fund under this paragraph shall be made on or
 20 before June 30, 2009, as sufficient funds become available
 21 in the Hospital Provider Fund to both make the transfers
 22 and continue hospital payments.

23 (8) For making refunds to hospital providers pursuant
 24 to Section 5A-10.

25 Disbursements from the Fund, other than transfers
 26 authorized under paragraphs (5) and (6) of this subsection,

1 shall be by warrants drawn by the State Comptroller upon
2 receipt of vouchers duly executed and certified by the Illinois
3 Department.

4 (c) The Fund shall consist of the following:

5 (1) All moneys collected or received by the Illinois
6 Department from the hospital provider assessment imposed
7 by this Article.

8 (2) All federal matching funds received by the Illinois
9 Department as a result of expenditures made by the Illinois
10 Department that are attributable to moneys deposited in the
11 Fund.

12 (3) Any interest or penalty levied in conjunction with
13 the administration of this Article.

14 (4) Moneys transferred from another fund in the State
15 treasury.

16 (5) All other moneys received for the Fund from any
17 other source, including interest earned thereon.

18 (d) (Blank).

19 (Source: P.A. 95-707, eff. 1-11-08; 95-859, eff. 8-19-08; 96-3,
20 eff. 2-27-09; 96-45, eff. 7-15-09; 96-821, eff. 11-20-09;
21 96-1530, eff. 2-16-11.)

22 (305 ILCS 5/6-1.2) (from Ch. 23, par. 6-1.2)

23 Sec. 6-1.2. Need. Income available to the person, when
24 added to contributions in money, substance, or services from
25 other sources, including contributions from legally

1 responsible relatives, must be insufficient to equal the grant
2 amount established by Department regulation (or by local
3 governmental unit in units which do not receive State funds)
4 for such a person.

5 In determining income to be taken into account:

6 (1) The first \$75 of earned income in income assistance
7 units comprised exclusively of one adult person shall be
8 disregarded, and for not more than 3 months in any 12
9 consecutive months that portion of earned income beyond the
10 first \$75 that is the difference between the standard of
11 assistance and the grant amount, shall be disregarded.

12 (2) For income assistance units not comprised
13 exclusively of one adult person, when authorized by rules
14 and regulations of the Illinois Department, a portion of
15 earned income, not to exceed the first \$25 a month plus 50%
16 of the next \$75, may be disregarded for the purpose of
17 stimulating and aiding rehabilitative effort and
18 self-support activity.

19 "Earned income" means money earned in self-employment or
20 wages, salary, or commission for personal services performed as
21 an employee. The eligibility of any applicant for or recipient
22 of public aid under this Article is not affected by the payment
23 of any grant under the "Senior Citizens and Disabled Persons
24 Property Tax Relief and Pharmaceutical Assistance Act", any
25 refund or payment of the federal Earned Income Tax Credit, or
26 any distributions or items of income described under

1 subparagraph (X) of paragraph (2) of subsection (a) of Section
2 203 of the Illinois Income Tax Act.

3 (Source: P.A. 97-689, eff. 6-14-12.)

4 (305 ILCS 5/6-2) (from Ch. 23, par. 6-2)

5 Sec. 6-2. Amount of aid. The amount and nature of General
6 Assistance for basic maintenance requirements shall be
7 determined in accordance with local budget standards for local
8 governmental units which do not receive State funds. For local
9 governmental units which do receive State funds, the amount and
10 nature of General Assistance for basic maintenance
11 requirements shall be determined in accordance with the
12 standards, rules and regulations of the Illinois Department.
13 However, the amount and nature of any financial aid is not
14 affected by the payment of any grant under the Senior Citizens
15 and Disabled Persons Property Tax Relief and Pharmaceutical
16 Assistance Act or any distributions or items of income
17 described under subparagraph (X) of paragraph (2) of subsection
18 (a) of Section 203 of the Illinois Income Tax Act. Due regard
19 shall be given to the requirements and the conditions existing
20 in each case, and to the income, money contributions and other
21 support and resources available, from whatever source. In local
22 governmental units which do not receive State funds, the grant
23 shall be sufficient when added to all other income, money
24 contributions and support in excess of any excluded income or
25 resources, to provide the person with a grant in the amount

1 established for such a person by the local governmental unit
2 based upon standards meeting basic maintenance requirements.
3 In local governmental units which do receive State funds, the
4 grant shall be sufficient when added to all other income, money
5 contributions and support in excess of any excluded income or
6 resources, to provide the person with a grant in the amount
7 established for such a person by Department regulation based
8 upon standards providing a livelihood compatible with health
9 and well-being, as directed by Section 12-4.11 of this Code.

10 The Illinois Department may conduct special projects,
11 which may be known as Grant Diversion Projects, under which
12 recipients of financial aid under this Article are placed in
13 jobs and their grants are diverted to the employer who in turn
14 makes payments to the recipients in the form of salary or other
15 employment benefits. The Illinois Department shall by rule
16 specify the terms and conditions of such Grant Diversion
17 Projects. Such projects shall take into consideration and be
18 coordinated with the programs administered under the Illinois
19 Emergency Employment Development Act.

20 The allowances provided under Article IX for recipients
21 participating in the training and rehabilitation programs
22 shall be in addition to such maximum payment.

23 Payments may also be made to provide persons receiving
24 basic maintenance support with necessary treatment, care and
25 supplies required because of illness or disability or with
26 acute medical treatment, care, and supplies. Payments for

1 necessary or acute medical care under this paragraph may be
2 made to or in behalf of the person. Obligations incurred for
3 such services but not paid for at the time of a recipient's
4 death may be paid, subject to the rules and regulations of the
5 Illinois Department, after the death of the recipient.

6 (Source: P.A. 97-689, eff. 6-14-12.)

7 (305 ILCS 5/12-9) (from Ch. 23, par. 12-9)

8 Sec. 12-9. Public Aid Recoveries Trust Fund; uses. The
9 Public Aid Recoveries Trust Fund shall consist of (1)
10 recoveries by the Department of Healthcare and Family Services
11 (formerly Illinois Department of Public Aid) authorized by this
12 Code in respect to applicants or recipients under Articles III,
13 IV, V, and VI, including recoveries made by the Department of
14 Healthcare and Family Services (formerly Illinois Department
15 of Public Aid) from the estates of deceased recipients, (2)
16 recoveries made by the Department of Healthcare and Family
17 Services (formerly Illinois Department of Public Aid) in
18 respect to applicants and recipients under the Children's
19 Health Insurance Program Act, ~~and~~ the Covering ALL KIDS Health
20 Insurance Act, and the Senior Citizens and Disabled Persons
21 Property Tax Relief and Pharmaceutical Assistance Act, (3)
22 federal funds received on behalf of and earned by State
23 universities and local governmental entities for services
24 provided to applicants or recipients covered under this Code,
25 the Children's Health Insurance Program Act, ~~and~~ the Covering

1 ALL KIDS Health Insurance Act, and the Senior Citizens and
2 Disabled Persons Property Tax Relief and Pharmaceutical
3 Assistance Act, (3.5) federal financial participation revenue
4 related to eligible disbursements made by the Department of
5 Healthcare and Family Services from appropriations required by
6 this Section, and (4) all other moneys received to the Fund,
7 including interest thereon. The Fund shall be held as a special
8 fund in the State Treasury.

9 Disbursements from this Fund shall be only (1) for the
10 reimbursement of claims collected by the Department of
11 Healthcare and Family Services (formerly Illinois Department
12 of Public Aid) through error or mistake, (2) for payment to
13 persons or agencies designated as payees or co-payees on any
14 instrument, whether or not negotiable, delivered to the
15 Department of Healthcare and Family Services (formerly
16 Illinois Department of Public Aid) as a recovery under this
17 Section, such payment to be in proportion to the respective
18 interests of the payees in the amount so collected, (3) for
19 payments to the Department of Human Services for collections
20 made by the Department of Healthcare and Family Services
21 (formerly Illinois Department of Public Aid) on behalf of the
22 Department of Human Services under this Code, the Children's
23 Health Insurance Program Act, and the Covering ALL KIDS Health
24 Insurance Act, (4) for payment of administrative expenses
25 incurred in performing the activities authorized under this
26 Code, the Children's Health Insurance Program Act, ~~and~~ the

1 Covering ALL KIDS Health Insurance Act, and the Senior Citizens
2 and Disabled Persons Property Tax Relief and Pharmaceutical
3 Assistance Act, (5) for payment of fees to persons or agencies
4 in the performance of activities pursuant to the collection of
5 monies owed the State that are collected under this Code, the
6 Children's Health Insurance Program Act, ~~and~~ the Covering ALL
7 KIDS Health Insurance Act, and the Senior Citizens and Disabled
8 Persons Property Tax Relief and Pharmaceutical Assistance Act,
9 (6) for payments of any amounts which are reimbursable to the
10 federal government which are required to be paid by State
11 warrant by either the State or federal government, and (7) for
12 payments to State universities and local governmental entities
13 of federal funds for services provided to applicants or
14 recipients covered under this Code, the Children's Health
15 Insurance Program Act, ~~and~~ the Covering ALL KIDS Health
16 Insurance Act, and the Senior Citizens and Disabled Persons
17 Property Tax Relief and Pharmaceutical Assistance Act.
18 Disbursements from this Fund for purposes of items (4) and (5)
19 of this paragraph shall be subject to appropriations from the
20 Fund to the Department of Healthcare and Family Services
21 (formerly Illinois Department of Public Aid).

22 The balance in this Fund on the first day of each calendar
23 quarter, after payment therefrom of any amounts reimbursable to
24 the federal government, and minus the amount reasonably
25 anticipated to be needed to make the disbursements during that
26 quarter authorized by this Section, shall be certified by the

1 Director of Healthcare and Family Services and transferred by
2 the State Comptroller to the Drug Rebate Fund or the Healthcare
3 Provider Relief Fund in the State Treasury, as appropriate,
4 within 30 days of the first day of each calendar quarter. The
5 Director of Healthcare and Family Services may certify and the
6 State Comptroller shall transfer to the Drug Rebate Fund
7 amounts on a more frequent basis.

8 On July 1, 1999, the State Comptroller shall transfer the
9 sum of \$5,000,000 from the Public Aid Recoveries Trust Fund
10 (formerly the Public Assistance Recoveries Trust Fund) into the
11 DHS Recoveries Trust Fund.

12 (Source: P.A. 96-1100, eff. 1-1-11; 97-647, eff. 1-1-12;
13 97-689, eff. 6-14-12.)

14 Section 40. The Senior Citizens and Disabled Persons
15 Property Tax Relief Act is amended by changing the title of the
16 Act and Sections 1, 1.5, 2, 3.05a, 3.10, 4, 4.05, 5, 6, 7, 8, 9,
17 12, and 13 and by adding Section 4.2 as follows:

18 (320 ILCS 25/Act title)

19 An Act in relation to the payment of grants to enable the
20 elderly and the disabled to acquire or retain private housing
21 and to acquire prescription drugs.

22 (320 ILCS 25/1) (from Ch. 67 1/2, par. 401)

23 Sec. 1. Short title; common name. This Article shall be

1 known and may be cited as the Senior Citizens and Disabled
2 Persons Property Tax Relief and Pharmaceutical Assistance Act.
3 Common references to the "Circuit Breaker Act" mean this
4 Article. As used in this Article, "this Act" means this
5 Article.

6 (Source: P.A. 96-804, eff. 1-1-10; 97-689, eff. 6-14-12.)

7 (320 ILCS 25/1.5)

8 Sec. 1.5. Implementation of Executive Order No. 3 of 2004,
9 ~~termination of the Illinois Senior Citizens and Disabled~~
10 ~~Persons Pharmaceutical Assistance Program.~~ Executive Order No.
11 3 of 2004, in part, provided for the transfer of the programs
12 under this Act from the Department of Revenue to the Department
13 on Aging and the Department of Healthcare and Family Services.
14 It is the purpose of this amendatory Act of the 96th General
15 Assembly to conform this Act and certain related provisions of
16 other statutes to that Executive Order. This amendatory Act of
17 the 96th General Assembly also makes other substantive changes
18 to this Act.

19 ~~It is the purpose of this amendatory Act of the 97th~~
20 ~~General Assembly to terminate the Illinois Senior Citizens and~~
21 ~~Disabled Persons Pharmaceutical Assistance Program on July 1,~~
22 ~~2012.~~

23 (Source: P.A. 96-804, eff. 1-1-10; 97-689, eff. 6-14-12.)

24 (320 ILCS 25/2) (from Ch. 67 1/2, par. 402)

1 Sec. 2. Purpose. The purpose of this Act is to provide
2 incentives to the senior citizens and disabled persons of this
3 State to acquire and retain private housing of their choice and
4 at the same time to relieve those citizens from the burdens of
5 extraordinary property taxes and rising drug costs against
6 their increasingly restricted earning power, and thereby to
7 reduce the requirements for public housing in this State.

8 (Source: P.A. 96-804, eff. 1-1-10; 97-689, eff. 6-14-12.)

9 (320 ILCS 25/3.05a)

10 Sec. 3.05a. Additional resident. "Additional resident"
11 means a person who (i) is living in the same residence with a
12 claimant for the claim year and at the time of filing the
13 claim, (ii) is not the spouse of the claimant, (iii) does not
14 file a separate claim under this Act for the same period, and
15 (iv) receives more than half of his or her total financial
16 support for that claim year from the household. ~~An Prior to~~
17 ~~July 1, 2012, an~~ additional resident who meets qualifications
18 may receive pharmaceutical assistance based on a claimant's
19 application.

20 (Source: P.A. 96-804, eff. 1-1-10; 97-689, eff. 6-14-12.)

21 (320 ILCS 25/3.10) (from Ch. 67 1/2, par. 403.10)

22 Sec. 3.10. Regulations. "Regulations" includes both rules
23 promulgated and forms prescribed by the applicable Department.
24 In this Act, references to the rules of the Department on Aging

1 or the Department of Healthcare and Family Services, ~~in effect~~
2 ~~prior to July 1, 2012,~~ shall be deemed to include, in
3 appropriate cases, the corresponding rules adopted by the
4 Department of Revenue, to the extent that those rules continue
5 in force under Executive Order No. 3 of 2004.

6 (Source: P.A. 96-804, eff. 1-1-10; 97-689, eff. 6-14-12.)

7 (320 ILCS 25/4) (from Ch. 67 1/2, par. 404)

8 Sec. 4. Amount of Grant.

9 (a) In general. Any individual 65 years or older or any
10 individual who will become 65 years old during the calendar
11 year in which a claim is filed, and any surviving spouse of
12 such a claimant, who at the time of death received or was
13 entitled to receive a grant pursuant to this Section, which
14 surviving spouse will become 65 years of age within the 24
15 months immediately following the death of such claimant and
16 which surviving spouse but for his or her age is otherwise
17 qualified to receive a grant pursuant to this Section, and any
18 disabled person whose annual household income is less than the
19 income eligibility limitation, as defined in subsection (a-5)
20 and whose household is liable for payment of property taxes
21 accrued or has paid rent constituting property taxes accrued
22 and is domiciled in this State at the time he or she files his
23 or her claim is entitled to claim a grant under this Act. With
24 respect to claims filed by individuals who will become 65 years
25 old during the calendar year in which a claim is filed, the

1 amount of any grant to which that household is entitled shall
2 be an amount equal to 1/12 of the amount to which the claimant
3 would otherwise be entitled as provided in this Section,
4 multiplied by the number of months in which the claimant was 65
5 in the calendar year in which the claim is filed.

6 (a-5) Income eligibility limitation. For purposes of this
7 Section, "income eligibility limitation" means an amount for
8 grant years 2008 and thereafter:

9 (1) less than \$22,218 for a household containing one
10 person;

11 (2) less than \$29,480 for a household containing 2
12 persons; or

13 (3) less than \$36,740 for a household containing 3 or
14 more persons.

15 For 2009 claim year applications submitted during calendar
16 year 2010, a household must have annual household income of
17 less than \$27,610 for a household containing one person; less
18 than \$36,635 for a household containing 2 persons; or less than
19 \$45,657 for a household containing 3 or more persons.

20 The Department on Aging may adopt rules such that on
21 January 1, 2011, and thereafter, the foregoing household income
22 eligibility limits may be changed to reflect the annual cost of
23 living adjustment in Social Security and Supplemental Security
24 Income benefits that are applicable to the year for which those
25 benefits are being reported as income on an application.

26 If a person files as a surviving spouse, then only his or

1 her income shall be counted in determining his or her household
2 income.

3 (b) Limitation. Except as otherwise provided in
4 subsections (a) and (f) of this Section, the maximum amount of
5 grant which a claimant is entitled to claim is the amount by
6 which the property taxes accrued which were paid or payable
7 during the last preceding tax year or rent constituting
8 property taxes accrued upon the claimant's residence for the
9 last preceding taxable year exceeds 3 1/2% of the claimant's
10 household income for that year but in no event is the grant to
11 exceed (i) \$700 less 4.5% of household income for that year for
12 those with a household income of \$14,000 or less or (ii) \$70 if
13 household income for that year is more than \$14,000.

14 (c) Public aid recipients. If household income in one or
15 more months during a year includes cash assistance in excess of
16 \$55 per month from the Department of Healthcare and Family
17 Services or the Department of Human Services (acting as
18 successor to the Department of Public Aid under the Department
19 of Human Services Act) which was determined under regulations
20 of that Department on a measure of need that included an
21 allowance for actual rent or property taxes paid by the
22 recipient of that assistance, the amount of grant to which that
23 household is entitled, except as otherwise provided in
24 subsection (a), shall be the product of (1) the maximum amount
25 computed as specified in subsection (b) of this Section and (2)
26 the ratio of the number of months in which household income did

1 not include such cash assistance over \$55 to the number twelve.
2 If household income did not include such cash assistance over
3 \$55 for any months during the year, the amount of the grant to
4 which the household is entitled shall be the maximum amount
5 computed as specified in subsection (b) of this Section. For
6 purposes of this paragraph (c), "cash assistance" does not
7 include any amount received under the federal Supplemental
8 Security Income (SSI) program.

9 (d) Joint ownership. If title to the residence is held
10 jointly by the claimant with a person who is not a member of
11 his or her household, the amount of property taxes accrued used
12 in computing the amount of grant to which he or she is entitled
13 shall be the same percentage of property taxes accrued as is
14 the percentage of ownership held by the claimant in the
15 residence.

16 (e) More than one residence. If a claimant has occupied
17 more than one residence in the taxable year, he or she may
18 claim only one residence for any part of a month. In the case
19 of property taxes accrued, he or she shall prorate 1/12 of the
20 total property taxes accrued on his or her residence to each
21 month that he or she owned and occupied that residence; and, in
22 the case of rent constituting property taxes accrued, shall
23 prorate each month's rent payments to the residence actually
24 occupied during that month.

25 (f) (Blank).

26 (g) There ~~Effective January 1, 2006,~~ there is hereby

1 established a program of pharmaceutical assistance to the aged
2 and disabled, entitled the Illinois Seniors and Disabled Drug
3 Coverage Program, which shall be administered by the Department
4 of Healthcare and Family Services and the Department on Aging
5 in accordance with this subsection, to consist of coverage of
6 specified prescription drugs on behalf of beneficiaries of the
7 program as set forth in this subsection. ~~Notwithstanding any~~
8 ~~provisions of this Act to the contrary, on and after July 1,~~
9 ~~2012, pharmaceutical assistance under this Act shall no longer~~
10 ~~be provided, and on July 1, 2012 the Illinois Senior Citizens~~
11 ~~and Disabled Persons Pharmaceutical Assistance Program shall~~
12 ~~terminate. The following provisions that concern the Illinois~~
13 ~~Senior Citizens and Disabled Persons Pharmaceutical Assistance~~
14 ~~Program shall continue to apply on and after July 1, 2012 to~~
15 ~~the extent necessary to pursue any actions authorized by~~
16 ~~subsection (d) of Section 9 of this Act with respect to acts~~
17 ~~which took place prior to July 1, 2012.~~

18 To become a beneficiary under the program established under
19 this subsection, a person must:

20 (1) be (i) 65 years of age or older or (ii) disabled;

21 and

22 (2) be domiciled in this State; and

23 (3) enroll with a qualified Medicare Part D
24 Prescription Drug Plan if eligible and apply for all
25 available subsidies under Medicare Part D; and

26 ~~(4) for the 2006 and 2007 claim years, have a maximum~~

1 ~~household income of (i) less than \$21,218 for a household~~
2 ~~containing one person, (ii) less than \$28,480 for a~~
3 ~~household containing 2 persons, or (iii) less than \$35,740~~
4 ~~for a household containing 3 or more persons; and~~

5 ~~(5) for the 2008 claim year, have a maximum household~~
6 ~~income of (i) less than \$22,218 for a household containing~~
7 ~~one person, (ii) \$29,480 for a household containing 2~~
8 ~~persons, or (iii) \$36,740 for a household containing 3 or~~
9 ~~more persons; and~~

10 ~~(6) for 2009 claim year applications submitted during~~
11 ~~calendar year 2010, have annual household income of less~~
12 ~~than (i) \$27,610 for a household containing one person;~~
13 ~~(ii) less than \$36,635 for a household containing 2~~
14 ~~persons; or (iii) less than \$45,657 for a household~~
15 ~~containing 3 or more persons; and~~

16 (4) ~~(7) as of September 1, 2011,~~ have a maximum
17 household income at or below 200% of the federal poverty
18 level.

19 ~~All individuals enrolled as of December 31, 2005, in the~~
20 ~~pharmaceutical assistance program operated pursuant to~~
21 ~~subsection (f) of this Section and all individuals enrolled as~~
22 ~~of December 31, 2005, in the SeniorCare Medicaid waiver program~~
23 ~~operated pursuant to Section 5-5.12a of the Illinois Public Aid~~
24 ~~Code shall be automatically enrolled in the program established~~
25 ~~by this subsection for the first year of operation without the~~
26 ~~need for further application, except that they must apply for~~

1 ~~Medicare Part D and the Low Income Subsidy under Medicare Part~~
2 ~~D.~~ A person enrolled in the pharmaceutical assistance program
3 operated pursuant to subsection (f) of this Section as of
4 December 31, 2005, shall not lose eligibility in future years
5 due only to the fact that the person has ~~they have~~ not reached
6 the age of 65.

7 To the extent permitted by federal law, the Department may
8 act as an authorized representative of a beneficiary in order
9 to enroll the beneficiary in a Medicare Part D Prescription
10 Drug Plan if the beneficiary has failed to choose a plan and,
11 where possible, to enroll beneficiaries in the low-income
12 subsidy program under Medicare Part D or assist them in
13 enrolling in that program.

14 Beneficiaries under the program established under this
15 subsection shall be divided into the following 4 eligibility
16 groups:

17 (A) Eligibility Group 1 shall consist of beneficiaries
18 who are not eligible for Medicare Part D coverage and who
19 are:

20 (i) disabled and under age 65; or

21 (ii) age 65 or older, with incomes over 200% of the
22 Federal Poverty Level; or

23 (iii) age 65 or older, with incomes at or below
24 200% of the Federal Poverty Level and not eligible for
25 federally funded means-tested benefits due to
26 immigration status.

1 (B) Eligibility Group 2 shall consist of beneficiaries
2 who are eligible for Medicare Part D coverage.

3 (C) Eligibility Group 3 shall consist of beneficiaries
4 age 65 or older, with incomes at or below 200% of the
5 Federal Poverty Level, who are not barred from receiving
6 federally funded means-tested benefits due to immigration
7 status and are not eligible for Medicare Part D coverage.

8 If the State applies and receives federal approval for
9 a waiver under Title XIX of the Social Security Act,
10 persons in Eligibility Group 3 shall continue to receive
11 benefits through the approved waiver, and Eligibility
12 Group 3 may be expanded to include disabled persons under
13 age 65 with incomes under 200% of the Federal Poverty Level
14 who are not eligible for Medicare and who are not barred
15 from receiving federally funded means-tested benefits due
16 to immigration status.

17 (D) Eligibility Group 4 shall consist of beneficiaries
18 who are otherwise described in Eligibility Group 2 who have
19 a diagnosis of HIV or AIDS.

20 The program established under this subsection shall cover
21 the cost of covered prescription drugs in excess of the
22 beneficiary cost-sharing amounts set forth in this paragraph
23 that are not covered by Medicare. The Department of Healthcare
24 and Family Services may establish by emergency rule changes in
25 cost-sharing necessary to conform the cost of the program to
26 the amounts appropriated for State fiscal year 2012 and future

1 fiscal years except that the 24-month limitation on the
2 adoption of emergency rules and the provisions of Sections
3 5-115 and 5-125 of the Illinois Administrative Procedure Act
4 shall not apply to rules adopted under this subsection (g). The
5 adoption of emergency rules authorized by this subsection (g)
6 shall be deemed to be necessary for the public interest,
7 safety, and welfare.

8 For purposes of the program established under this
9 subsection, the term "covered prescription drug" has the
10 following meanings:

11 For Eligibility Group 1, "covered prescription drug"
12 means: (1) any cardiovascular agent or drug; (2) any
13 insulin or other prescription drug used in the treatment of
14 diabetes, including syringe and needles used to administer
15 the insulin; (3) any prescription drug used in the
16 treatment of arthritis; (4) any prescription drug used in
17 the treatment of cancer; (5) any prescription drug used in
18 the treatment of Alzheimer's disease; (6) any prescription
19 drug used in the treatment of Parkinson's disease; (7) any
20 prescription drug used in the treatment of glaucoma; (8)
21 any prescription drug used in the treatment of lung disease
22 and smoking-related illnesses; (9) any prescription drug
23 used in the treatment of osteoporosis; and (10) any
24 prescription drug used in the treatment of multiple
25 sclerosis. The Department may add additional therapeutic
26 classes by rule. The Department may adopt a preferred drug

1 list within any of the classes of drugs described in items
2 (1) through (10) of this paragraph. The specific drugs or
3 therapeutic classes of covered prescription drugs shall be
4 indicated by rule.

5 For Eligibility Group 2, "covered prescription drug"
6 means those drugs covered by the Medicare Part D
7 Prescription Drug Plan in which the beneficiary is
8 enrolled.

9 For Eligibility Group 3, "covered prescription drug"
10 means those drugs covered by the Medical Assistance Program
11 under Article V of the Illinois Public Aid Code.

12 For Eligibility Group 4, "covered prescription drug"
13 means those drugs covered by the Medicare Part D
14 Prescription Drug Plan in which the beneficiary is
15 enrolled.

16 Any person otherwise eligible for pharmaceutical
17 assistance under this subsection whose covered drugs are
18 covered by any public program is ineligible for assistance
19 under this subsection to the extent that the cost of those
20 drugs is covered by the other program.

21 The Department of Healthcare and Family Services shall
22 establish by rule the methods by which it will provide for the
23 coverage called for in this subsection. Those methods may
24 include direct reimbursement to pharmacies or the payment of a
25 capitated amount to Medicare Part D Prescription Drug Plans.

26 For a pharmacy to be reimbursed under the program

1 established under this subsection, it must comply with rules
2 adopted by the Department of Healthcare and Family Services
3 regarding coordination of benefits with Medicare Part D
4 Prescription Drug Plans. A pharmacy may not charge a
5 Medicare-enrolled beneficiary of the program established under
6 this subsection more for a covered prescription drug than the
7 appropriate Medicare cost-sharing less any payment from or on
8 behalf of the Department of Healthcare and Family Services.

9 The Department of Healthcare and Family Services or the
10 Department on Aging, as appropriate, may adopt rules regarding
11 applications, counting of income, proof of Medicare status,
12 mandatory generic policies, and pharmacy reimbursement rates
13 and any other rules necessary for the cost-efficient operation
14 of the program established under this subsection.

15 (h) A qualified individual is not entitled to duplicate
16 benefits in a coverage period as a result of the changes made
17 by this amendatory Act of the 96th General Assembly.

18 (Source: P.A. 96-804, eff. 1-1-10; 97-74, eff. 6-30-11; 97-333,
19 eff. 8-12-11; 97-689, eff. 6-14-12.)

20 (320 ILCS 25/4.05)

21 Sec. 4.05. Application.

22 (a) The Department on Aging shall establish the content,
23 required eligibility and identification information, use of
24 social security numbers, and manner of applying for benefits in
25 a simplified format under this Act, including claims filed for

1 new or renewed prescription drug benefits.

2 (b) An application may be filed on paper or over the
3 Internet to enable persons to apply separately or for both a
4 property tax relief grant and pharmaceutical assistance on the
5 same application. An application may also enable persons to
6 apply for other State or federal programs that provide medical
7 or pharmaceutical assistance or other benefits, as determined
8 by the Department on Aging in conjunction with the Department
9 of Healthcare and Family Services.

10 (c) Applications must be filed during the time period
11 prescribed by the Department.

12 (Source: P.A. 96-804, eff. 1-1-10; 97-689, eff. 6-14-12.)

13 (320 ILCS 25/4.2 new)

14 Sec. 4.2. Information to the Department. Notwithstanding
15 any other law to the contrary, entities subject to the Illinois
16 Insurance Code, Comprehensive Health Insurance Plan Act,
17 Dental Service Plan Act, Children's Health Insurance Program
18 Act, Health Care Purchasing Group Act, Health Maintenance
19 Organization Act, Limited Health Service Organization Act,
20 Voluntary Health Services Plans Act, and the Workers'
21 Compensation Act, including, but not limited to, insurers,
22 health maintenance organizations, pharmacy benefit managers,
23 third party administrators, fraternal benefit societies,
24 group-funded workers' compensation pools, municipal
25 group-funded pools, self-funded or self-insured welfare or

1 benefit plans or programs, and any other entities that provide
2 health coverage through an employer, union, trade association
3 or other organization or source, or any other entities, must
4 provide information to the Department, or its designee, that is
5 necessary to carry out the purposes of this Act, including, but
6 not limited to, the name, social security number, address, date
7 of birth, and coverage of their policyholders, their
8 subscribers, or the beneficiaries of their plans, benefits, or
9 services who participate in the programs under this Act. The
10 provision of this information to the Department or its designee
11 is subject to the confidentiality provisions in Section 8a of
12 this Act.

13 (320 ILCS 25/5) (from Ch. 67 1/2, par. 405)

14 Sec. 5. Procedure.

15 (a) In general. Claims must be filed after January 1, on
16 forms prescribed by the Department. No claim may be filed more
17 than one year after December 31 of the year for which the claim
18 is filed.

19 (b) Claim is Personal. The right to file a claim under this
20 Act shall be personal to the claimant and shall not survive his
21 death, but such right may be exercised on behalf of a claimant
22 by his legal guardian or attorney-in-fact. If a claimant dies
23 after having filed a timely claim, the amount thereof shall be
24 disbursed to his surviving spouse or, if no spouse survives, to
25 his surviving dependent minor children in equal parts, provided

1 the spouse or child, as the case may be, resided with the
2 claimant at the time he filed his claim. If at the time of
3 disbursement neither the claimant nor his spouse is surviving,
4 and no dependent minor children of the claimant are surviving
5 the amount of the claim shall escheat to the State.

6 (c) One claim per household. Only one member of a household
7 may file a claim under this Act in any calendar year; where
8 both members of a household are otherwise entitled to claim a
9 grant under this Act, they must agree as to which of them will
10 file a claim for that year.

11 (d) (Blank).

12 (e) Pharmaceutical Assistance Procedures. ~~The Prior to~~
13 ~~July 1, 2012, the~~ Department of Healthcare and Family Services
14 shall determine eligibility for pharmaceutical assistance
15 using the applicant's current income. The Department shall
16 determine a person's current income in the manner provided by
17 the Department by rule.

18 (f) A person may not under any circumstances charge a fee
19 to a claimant under this Act for assistance in completing an
20 application form for a property tax relief grant or
21 pharmaceutical assistance under this Act.

22 (Source: P.A. 96-491, eff. 8-14-09; 96-804, eff. 1-1-10;
23 96-1000, eff. 7-2-10; 97-689, eff. 6-14-12.)

24 (320 ILCS 25/6) (from Ch. 67 1/2, par. 406)

25 Sec. 6. Administration.

1 (a) In general. Upon receipt of a timely filed claim, the
2 Department shall determine whether the claimant is a person
3 entitled to a grant under this Act and the amount of grant to
4 which he is entitled under this Act. The Department may require
5 the claimant to furnish reasonable proof of the statements of
6 domicile, household income, rent paid, property taxes accrued
7 and other matters on which entitlement is based, and may
8 withhold payment of a grant until such additional proof is
9 furnished.

10 (b) Rental determination. If the Department finds that the
11 gross rent used in the computation by a claimant of rent
12 constituting property taxes accrued exceeds the fair rental
13 value for the right to occupy that residence, the Department
14 may determine the fair rental value for that residence and
15 recompute rent constituting property taxes accrued
16 accordingly.

17 (c) Fraudulent claims. The Department shall deny claims
18 which have been fraudulently prepared or when it finds that the
19 claimant has acquired title to his residence or has paid rent
20 for his residence primarily for the purpose of receiving a
21 grant under this Act.

22 (d) (Blank).

23 (e) Pharmaceutical Assistance. The Department shall allow
24 all pharmacies licensed under the Pharmacy Practice Act to
25 participate as authorized pharmacies unless they have been
26 removed from that status for cause pursuant to the terms of

1 this Section. The Director of the Department may enter into a
2 written contract with any State agency, instrumentality or
3 political subdivision, or a fiscal intermediary for the purpose
4 of making payments to authorized pharmacies for covered
5 prescription drugs and coordinating the program of
6 pharmaceutical assistance established by this Act with other
7 programs that provide payment for covered prescription drugs.
8 Such agreement shall establish procedures for properly
9 contracting for pharmacy services, validating reimbursement
10 claims, validating compliance of dispensing pharmacists with
11 the contracts for participation required under this Section,
12 validating the reasonable costs of covered prescription drugs,
13 and otherwise providing for the effective administration of
14 this Act.

15 The Department shall promulgate rules and regulations to
16 implement and administer the program of pharmaceutical
17 assistance required by this Act, which shall include the
18 following:

19 (1) Execution of contracts with pharmacies to dispense
20 covered prescription drugs. Such contracts shall stipulate
21 terms and conditions for authorized pharmacies
22 participation and the rights of the State to terminate such
23 participation for breach of such contract or for violation
24 of this Act or related rules and regulations of the
25 Department;

26 (2) Establishment of maximum limits on the size of

1 prescriptions, new or refilled, which shall be in amounts
2 sufficient for 34 days, except as otherwise specified by
3 rule for medical or utilization control reasons;

4 (3) Establishment of liens upon any and all causes of
5 action which accrue to a beneficiary as a result of
6 injuries for which covered prescription drugs are directly
7 or indirectly required and for which the Director made
8 payment or became liable for under this Act;

9 (4) Charge or collection of payments from third parties
10 or private plans of assistance, or from other programs of
11 public assistance for any claim that is properly chargeable
12 under the assignment of benefits executed by beneficiaries
13 as a requirement of eligibility for the pharmaceutical
14 assistance identification card under this Act;

15 (4.5) Provision for automatic enrollment of
16 beneficiaries into a Medicare Discount Card program
17 authorized under the federal Medicare Modernization Act of
18 2003 (P.L. 108-391) to coordinate coverage including
19 Medicare Transitional Assistance;

20 (5) Inspection of appropriate records and audit of
21 participating authorized pharmacies to ensure contract
22 compliance, and to determine any fraudulent transactions
23 or practices under this Act;

24 (6) Annual determination of the reasonable costs of
25 covered prescription drugs for which payments are made
26 under this Act, as provided in Section 3.16 (now repealed);

1 (7) Payment to pharmacies under this Act in accordance
2 with the State Prompt Payment Act.

3 The Department shall annually report to the Governor and
4 the General Assembly by March 1st of each year on the
5 administration of pharmaceutical assistance under this Act. By
6 the effective date of this Act the Department shall determine
7 the reasonable costs of covered prescription drugs in
8 accordance with Section 3.16 of this Act (now repealed).

9 (Source: P.A. 96-328, eff. 8-11-09; 97-333, eff. 8-12-11;
10 97-689, eff. 6-14-12.)

11 (320 ILCS 25/7) (from Ch. 67 1/2, par. 407)

12 Sec. 7. Payment and denial of claims.

13 (a) In general. The Director shall order the payment from
14 appropriations made for that purpose of grants to claimants
15 under this Act in the amounts to which the Department has
16 determined they are entitled, respectively. If a claim is
17 denied, the Director shall cause written notice of that denial
18 and the reasons for that denial to be sent to the claimant.

19 (b) Payment of claims one dollar and under. Where the
20 amount of the grant computed under Section 4 is less than one
21 dollar, the Department shall pay to the claimant one dollar.

22 (c) Right to appeal. Any person aggrieved by an action or
23 determination of the Department on Aging arising under any of
24 its powers or duties under this Act may request in writing that
25 the Department on Aging reconsider its action or determination,

1 setting out the facts upon which the request is based. The
2 Department on Aging shall consider the request and either
3 modify or affirm its prior action or determination. The
4 Department on Aging may adopt, by rule, procedures for
5 conducting its review under this Section.

6 Any person aggrieved by an action or determination of the
7 Department of Healthcare and Family Services arising under any
8 of its powers or duties under this Act may request in writing
9 that the Department of Healthcare and Family Services
10 reconsider its action or determination, setting out the facts
11 upon which the request is based. The Department of Healthcare
12 and Family Services shall consider the request and either
13 modify or affirm its prior action or determination. The
14 Department of Healthcare and Family Services may adopt, by
15 rule, procedures for conducting its review under this Section.

16 (d) (Blank).

17 (Source: P.A. 96-804, eff. 1-1-10; 97-689, eff. 6-14-12.)

18 (320 ILCS 25/8) (from Ch. 67 1/2, par. 408)

19 Sec. 8. Records. Every claimant of a grant under this Act
20 and ~~, prior to July 1, 2012,~~ every applicant for pharmaceutical
21 assistance under this Act shall keep such records, render such
22 statements, file such forms and comply with such rules and
23 regulations as the Department on Aging may from time to time
24 prescribe. The Department on Aging may by regulations require
25 landlords to furnish to tenants statements as to gross rent or

1 rent constituting property taxes accrued.

2 (Source: P.A. 96-804, eff. 1-1-10; 97-689, eff. 6-14-12.)

3 (320 ILCS 25/9) (from Ch. 67 1/2, par. 409)

4 Sec. 9. Fraud; error.

5 (a) Any person who files a fraudulent claim for a grant
6 under this Act, or who for compensation prepares a claim for a
7 grant and knowingly enters false information on an application
8 for any claimant under this Act, or who fraudulently files
9 multiple applications, or who fraudulently states that a
10 nondisabled person is disabled, or who ~~, prior to July 1, 2012,~~
11 fraudulently procures pharmaceutical assistance benefits, or
12 who fraudulently uses such assistance to procure covered
13 prescription drugs, or who, on behalf of an authorized
14 pharmacy, files a fraudulent request for payment, is guilty of
15 a Class 4 felony for the first offense and is guilty of a Class
16 3 felony for each subsequent offense.

17 (b) (Blank).

18 (b-5) The Department on Aging and the Department of
19 Healthcare and Family Services shall immediately suspend the
20 pharmaceutical assistance benefits of any person suspected of
21 fraudulent procurement or fraudulent use of such assistance,
22 and shall revoke such assistance upon a conviction. A person
23 convicted of fraud under subsection (a) shall be permanently
24 barred from all of the programs established under this Act.

25 (c) The Department on Aging may recover from a claimant any

1 amount paid to that claimant under this Act on account of an
2 erroneous or fraudulent claim, together with 6% interest per
3 year. Amounts recoverable from a claimant by the Department on
4 Aging under this Act may, but need not, be recovered by
5 offsetting the amount owed against any future grant payable to
6 the person under this Act.

7 The Department of Healthcare and Family Services may
8 recover ~~for acts prior to July 1, 2012~~ from an authorized
9 pharmacy any amount paid to that pharmacy under the
10 pharmaceutical assistance program on account of an erroneous or
11 fraudulent request for payment under that program, together
12 with 6% interest per year. The Department of Healthcare and
13 Family Services may recover from a person who erroneously or
14 fraudulently obtains benefits under the pharmaceutical
15 assistance program the value of the benefits so obtained,
16 together with 6% interest per year.

17 (d) A prosecution for a violation of this Section may be
18 commenced at any time within 3 years of the commission of that
19 violation.

20 (Source: P.A. 96-804, eff. 1-1-10; 97-689, eff. 6-14-12.)

21 (320 ILCS 25/12) (from Ch. 67 1/2, par. 412)

22 Sec. 12. Regulations - Department on Aging.

23 (a) Regulations. Notwithstanding any other provision to
24 the contrary, the Department on Aging may adopt rules regarding
25 applications, proof of eligibility, required identification

1 information, use of social security numbers, counting of
2 income, and a method of computing "gross rent" in the case of a
3 claimant living in a nursing or sheltered care home, and any
4 other rules necessary for the cost-efficient operation of the
5 program established under Section 4.

6 (b) The Department on Aging shall, to the extent of
7 appropriations made for that purpose:

8 (1) attempt to secure the cooperation of appropriate
9 federal, State and local agencies in securing the names and
10 addresses of persons to whom this Act pertains;

11 (2) prepare a mailing list of persons eligible for
12 grants under this Act;

13 (3) secure the cooperation of the Department of
14 Revenue, the Department of Healthcare and Family Services,
15 other State agencies, and local business establishments to
16 facilitate distribution of applications under this Act to
17 those eligible to file claims; and

18 (4) through use of direct mail, newspaper
19 advertisements and radio and television advertisements,
20 and all other appropriate means of communication, conduct
21 an on-going public relations program to increase awareness
22 of eligible citizens of the benefits under this Act and the
23 procedures for applying for them.

24 (Source: P.A. 96-804, eff. 1-1-10; 97-689, eff. 6-14-12.)

25 (320 ILCS 25/13) (from Ch. 67 1/2, par. 413)

1 Sec. 13. List of persons who have qualified. The Department
2 on Aging shall maintain a list of all persons who have
3 qualified under this Act and shall make the list available to
4 the Department of Healthcare and Family Services, the
5 Department of Public Health, the Secretary of State,
6 municipalities, and public transit authorities upon request.

7 All information received by a State agency, municipality,
8 or public transit authority under this Section shall be
9 confidential, except for official purposes, and any person who
10 divulges or uses that information in any manner, except in
11 accordance with a proper judicial order, shall be guilty of a
12 Class B misdemeanor.

13 (Source: P.A. 96-804, eff. 1-1-10; 97-689, eff. 6-14-12.)

14 Section 45. The Senior Citizens Real Estate Tax Deferral
15 Act is amended by changing Sections 2 and 8 as follows:

16 (320 ILCS 30/2) (from Ch. 67 1/2, par. 452)

17 Sec. 2. Definitions. As used in this Act:

18 (a) "Taxpayer" means an individual whose household income
19 for the year is no greater than: (i) \$40,000 through tax year
20 2005; (ii) \$50,000 for tax years 2006 through 2011; and (iii)
21 \$55,000 for tax year 2012 and thereafter.

22 (b) "Tax deferred property" means the property upon which
23 real estate taxes are deferred under this Act.

24 (c) "Homestead" means the land and buildings thereon,

1 including a condominium or a dwelling unit in a multidwelling
2 building that is owned and operated as a cooperative, occupied
3 by the taxpayer as his residence or which are temporarily
4 unoccupied by the taxpayer because such taxpayer is temporarily
5 residing, for not more than 1 year, in a licensed facility as
6 defined in Section 1-113 of the Nursing Home Care Act.

7 (d) "Real estate taxes" or "taxes" means the taxes on real
8 property for which the taxpayer would be liable under the
9 Property Tax Code, including special service area taxes, and
10 special assessments on benefited real property for which the
11 taxpayer would be liable to a unit of local government.

12 (e) "Department" means the Department of Revenue.

13 (f) "Qualifying property" means a homestead which (a) the
14 taxpayer or the taxpayer and his spouse own in fee simple or
15 are purchasing in fee simple under a recorded instrument of
16 sale, (b) is not income-producing property, (c) is not subject
17 to a lien for unpaid real estate taxes when a claim under this
18 Act is filed, and (d) is not held in trust, other than an
19 Illinois land trust with the taxpayer identified as the sole
20 beneficiary, if the taxpayer is filing for the program for the
21 first time effective as of the January 1, 2011 assessment year
22 or tax year 2012 and thereafter.

23 (g) "Equity interest" means the current assessed valuation
24 of the qualified property times the fraction necessary to
25 convert that figure to full market value minus any outstanding
26 debts or liens on that property. In the case of qualifying

1 property not having a separate assessed valuation, the
2 appraised value as determined by a qualified real estate
3 appraiser shall be used instead of the current assessed
4 valuation.

5 (h) "Household income" has the meaning ascribed to that
6 term in the Senior Citizens and Disabled Persons Property Tax
7 Relief and Pharmaceutical Assistance Act.

8 (i) "Collector" means the county collector or, if the taxes
9 to be deferred are special assessments, an official designated
10 by a unit of local government to collect special assessments.
11 (Source: P.A. 97-481, eff. 8-22-11; 97-689, eff. 6-14-12.)

12 (320 ILCS 30/8) (from Ch. 67 1/2, par. 458)

13 Sec. 8. Nothing in this Act (a) affects any provision of
14 any mortgage or other instrument relating to land requiring a
15 person to pay real estate taxes or (b) affects the eligibility
16 of any person to receive any grant pursuant to the "Senior
17 Citizens and Disabled Persons Property Tax Relief and
18 Pharmaceutical Assistance Act".

19 (Source: P.A. 97-689, eff. 6-14-12.)

20 Section 49. Senior Pharmaceutical Assistance Act is
21 amended by changing Section 5

22 (320 ILCS 50/5)

23 Sec. 5. Findings. The General Assembly finds:

1 (1) Senior citizens identify pharmaceutical assistance as
2 the single most critical factor to their health, well-being,
3 and continued independence.

4 (2) The State of Illinois currently operates 2
5 pharmaceutical assistance programs that benefit seniors: (i)
6 the program of pharmaceutical assistance under the Senior
7 Citizens and Disabled Persons Property Tax Relief and
8 Pharmaceutical Assistance Act and (ii) the Aid to the Aged,
9 Blind, or Disabled program under the Illinois Public Aid Code.
10 The State has been given authority to establish a third
11 program, SeniorRx Care, through a federal Medicaid waiver.

12 (3) Each year, numerous pieces of legislation are filed
13 seeking to establish additional pharmaceutical assistance
14 benefits for seniors or to make changes to the existing
15 programs.

16 (4) Establishment of a pharmaceutical assistance review
17 committee will ensure proper coordination of benefits,
18 diminish the likelihood of duplicative benefits, and ensure
19 that the best interests of seniors are served.

20 (5) In addition to the State pharmaceutical assistance
21 programs, several private entities, such as drug manufacturers
22 and pharmacies, also offer prescription drug discount or
23 coverage programs.

24 (6) Many seniors are unaware of the myriad of public and
25 private programs available to them.

26 (7) Establishing a pharmaceutical clearinghouse with a

1 toll-free hot-line and local outreach workers will educate
2 seniors about the vast array of options available to them and
3 enable seniors to make an educated and informed choice that is
4 best for them.

5 (8) Estimates indicate that almost one-third of senior
6 citizens lack prescription drug coverage. The federal
7 government, states, and the pharmaceutical industry each have a
8 role in helping these uninsured seniors gain access to
9 life-saving medications.

10 (9) The State of Illinois has recognized its obligation to
11 assist Illinois' neediest seniors in purchasing prescription
12 medications, and it is now time for pharmaceutical
13 manufacturers to recognize their obligation to make their
14 medications affordable to seniors.

15 (Source: P.A. 97-689, eff. 6-14-12.)

16 Section 50. The Illinois Vehicle Code is amended by
17 changing Sections 3-609, 3-623, 3-626, 3-667, 3-683, 3-806.3,
18 and 11-1301.2 as follows:

19 (625 ILCS 5/3-609) (from Ch. 95 1/2, par. 3-609)

20 Sec. 3-609. Disabled Veterans' Plates. Any veteran may make
21 application for the registration of one motor vehicle of the
22 first division or one motor vehicle of the second division
23 weighing not more than 8,000 pounds to the Secretary of State
24 without the payment of any registration fee if (i) the veteran

1 holds proof of a service-connected disability from the United
2 States Department of Veterans Affairs and (ii) a licensed
3 physician, physician assistant, or advanced practice nurse has
4 certified in accordance with Section 3-616 that because of the
5 service-connected disability the veteran qualifies for
6 issuance of registration plates or decals to a person with
7 disabilities. The Secretary may, in his or her discretion,
8 allow the plates to be issued as vanity or personalized plates
9 in accordance with Section 3-405.1 of this Code. Registration
10 shall be for a multi-year period and may be issued staggered
11 registration.

12 Renewal of such registration must be accompanied with
13 documentation for eligibility of registration without fee
14 unless the applicant has a permanent qualifying disability, and
15 such registration plates may not be issued to any person not
16 eligible therefor.

17 The Illinois Department of Veterans' Affairs may assist in
18 providing the documentation of disability.

19 Commencing with the 2009 registration year, any person
20 eligible to receive license plates under this Section who has
21 been approved for benefits under the Senior Citizens and
22 Disabled Persons Property Tax Relief and Pharmaceutical
23 Assistance Act, or who has claimed and received a grant under
24 that Act, shall pay a fee of \$24 instead of the fee otherwise
25 provided in this Code for passenger cars displaying standard
26 multi-year registration plates issued under Section 3-414.1,

1 for motor vehicles registered at 8,000 pounds or less under
2 Section 3-815(a), or for recreational vehicles registered at
3 8,000 pounds or less under Section 3-815(b), for a second set
4 of plates under this Section.

5 (Source: P.A. 96-79, eff. 1-1-10; 97-689, eff. 6-14-12.)

6 (625 ILCS 5/3-623) (from Ch. 95 1/2, par. 3-623)

7 Sec. 3-623. Purple Heart Plates. The Secretary, upon
8 receipt of an application made in the form prescribed by the
9 Secretary of State, may issue to recipients awarded the Purple
10 Heart by a branch of the armed forces of the United States who
11 reside in Illinois, special registration plates. The
12 Secretary, upon receipt of the proper application, may also
13 issue these special registration plates to an Illinois resident
14 who is the surviving spouse of a person who was awarded the
15 Purple Heart by a branch of the armed forces of the United
16 States. The special plates issued pursuant to this Section
17 should be affixed only to passenger vehicles of the 1st
18 division, including motorcycles, or motor vehicles of the 2nd
19 division weighing not more than 8,000 pounds. The Secretary
20 may, in his or her discretion, allow the plates to be issued as
21 vanity or personalized plates in accordance with Section
22 3-405.1 of this Code. The Secretary of State must make a
23 version of the special registration plates authorized under
24 this Section in a form appropriate for motorcycles.

25 The design and color of such plates shall be wholly within

1 the discretion of the Secretary of State. Appropriate
2 documentation, as determined by the Secretary, and the
3 appropriate registration fee shall accompany the application.
4 However, for an individual who has been issued Purple Heart
5 plates for a vehicle and who has been approved for benefits
6 under the Senior Citizens and Disabled Persons Property Tax
7 Relief and Pharmaceutical Assistance Act, the annual fee for
8 the registration of the vehicle shall be as provided in Section
9 3-806.3 of this Code.

10 (Source: P.A. 96-1101, eff. 1-1-11; 97-689, eff. 6-14-12.)

11 (625 ILCS 5/3-626)

12 Sec. 3-626. Korean War Veteran license plates.

13 (a) In addition to any other special license plate, the
14 Secretary, upon receipt of all applicable fees and applications
15 made in the form prescribed by the Secretary of State, may
16 issue special registration plates designated as Korean War
17 Veteran license plates to residents of Illinois who
18 participated in the United States Armed Forces during the
19 Korean War. The special plate issued under this Section shall
20 be affixed only to passenger vehicles of the first division,
21 motorcycles, motor vehicles of the second division weighing not
22 more than 8,000 pounds, and recreational vehicles as defined by
23 Section 1-169 of this Code. Plates issued under this Section
24 shall expire according to the staggered multi-year procedure
25 established by Section 3-414.1 of this Code.

1 (b) The design, color, and format of the plates shall be
2 wholly within the discretion of the Secretary of State. The
3 Secretary may, in his or her discretion, allow the plates to be
4 issued as vanity plates or personalized in accordance with
5 Section 3-405.1 of this Code. The plates are not required to
6 designate "Land Of Lincoln", as prescribed in subsection (b) of
7 Section 3-412 of this Code. The Secretary shall prescribe the
8 eligibility requirements and, in his or her discretion, shall
9 approve and prescribe stickers or decals as provided under
10 Section 3-412.

11 (c) (Blank).

12 (d) The Korean War Memorial Construction Fund is created as
13 a special fund in the State treasury. All moneys in the Korean
14 War Memorial Construction Fund shall, subject to
15 appropriation, be used by the Department of Veteran Affairs to
16 provide grants for construction of the Korean War Memorial to
17 be located at Oak Ridge Cemetery in Springfield, Illinois. Upon
18 the completion of the Memorial, the Department of Veteran
19 Affairs shall certify to the State Treasurer that the
20 construction of the Memorial has been completed. Upon the
21 certification by the Department of Veteran Affairs, the State
22 Treasurer shall transfer all moneys in the Fund and any future
23 deposits into the Fund into the Secretary of State Special
24 License Plate Fund.

25 (e) An individual who has been issued Korean War Veteran
26 license plates for a vehicle and who has been approved for

1 benefits under the Senior Citizens and Disabled Persons
2 Property Tax Relief and Pharmaceutical Assistance Act shall pay
3 the original issuance and the regular annual fee for the
4 registration of the vehicle as provided in Section 3-806.3 of
5 this Code in addition to the fees specified in subsection (c)
6 of this Section.

7 (Source: P.A. 96-1409, eff. 1-1-11; 97-689, eff. 6-14-12.)

8 (625 ILCS 5/3-667)

9 Sec. 3-667. Korean Service license plates.

10 (a) In addition to any other special license plate, the
11 Secretary, upon receipt of all applicable fees and applications
12 made in the form prescribed by the Secretary of State, may
13 issue special registration plates designated as Korean Service
14 license plates to residents of Illinois who, on or after July
15 27, 1954, participated in the United States Armed Forces in
16 Korea. The special plate issued under this Section shall be
17 affixed only to passenger vehicles of the first division,
18 motorcycles, motor vehicles of the second division weighing not
19 more than 8,000 pounds, and recreational vehicles as defined by
20 Section 1-169 of this Code. Plates issued under this Section
21 shall expire according to the staggered multi-year procedure
22 established by Section 3-414.1 of this Code.

23 (b) The design, color, and format of the plates shall be
24 wholly within the discretion of the Secretary of State. The
25 Secretary may, in his or her discretion, allow the plates to be

1 issued as vanity or personalized plates in accordance with
2 Section 3-405.1 of this Code. The plates are not required to
3 designate "Land of Lincoln", as prescribed in subsection (b) of
4 Section 3-412 of this Code. The Secretary shall prescribe the
5 eligibility requirements and, in his or her discretion, shall
6 approve and prescribe stickers or decals as provided under
7 Section 3-412.

8 (c) An applicant shall be charged a \$2 fee for original
9 issuance in addition to the applicable registration fee. This
10 additional fee shall be deposited into the Korean War Memorial
11 Construction Fund a special fund in the State treasury.

12 (d) An individual who has been issued Korean Service
13 license plates for a vehicle and who has been approved for
14 benefits under the Senior Citizens and Disabled Persons
15 Property Tax Relief and Pharmaceutical Assistance Act shall pay
16 the original issuance and the regular annual fee for the
17 registration of the vehicle as provided in Section 3-806.3 of
18 this Code in addition to the fees specified in subsection (c)
19 of this Section.

20 (Source: P.A. 97-306, eff. 1-1-12; 97-689, eff. 6-14-12.)

21 (625 ILCS 5/3-683)

22 Sec. 3-683. Distinguished Service Cross license plates.
23 The Secretary, upon receipt of an application made in the form
24 prescribed by the Secretary of State, shall issue special
25 registration plates to any Illinois resident who has been

1 awarded the Distinguished Service Cross by a branch of the
2 armed forces of the United States. The Secretary, upon receipt
3 of the proper application, shall also issue these special
4 registration plates to an Illinois resident who is the
5 surviving spouse of a person who was awarded the Distinguished
6 Service Cross by a branch of the armed forces of the United
7 States. The special plates issued under this Section should be
8 affixed only to passenger vehicles of the first division,
9 including motorcycles, or motor vehicles of the second division
10 weighing not more than 8,000 pounds.

11 The design and color of the plates shall be wholly within
12 the discretion of the Secretary of State. Appropriate
13 documentation, as determined by the Secretary, and the
14 appropriate registration fee shall accompany the application.
15 However, for an individual who has been issued Distinguished
16 Service Cross plates for a vehicle and who has been approved
17 for benefits under the Senior Citizens and Disabled Persons
18 Property Tax Relief and Pharmaceutical Assistance Act, the
19 annual fee for the registration of the vehicle shall be as
20 provided in Section 3-806.3 of this Code.

21 (Source: P.A. 96-328, eff. 8-11-09; 97-689, eff. 6-14-12.)

22 (625 ILCS 5/3-806.3) (from Ch. 95 1/2, par. 3-806.3)

23 Sec. 3-806.3. Senior Citizens. Commencing with the 2009
24 registration year, the registration fee paid by any vehicle
25 owner who has been approved for benefits under the Senior

1 Citizens and Disabled Persons Property Tax Relief and
2 Pharmaceutical Assistance Act or who is the spouse of such a
3 person shall be \$24 instead of the fee otherwise provided in
4 this Code for passenger cars displaying standard multi-year
5 registration plates issued under Section 3-414.1, motor
6 vehicles displaying special registration plates issued under
7 Section 3-609, 3-616, 3-621, 3-622, 3-623, 3-624, 3-625, 3-626,
8 3-628, 3-638, 3-642, 3-645, 3-647, 3-650, 3-651, or 3-663,
9 motor vehicles registered at 8,000 pounds or less under Section
10 3-815(a), and recreational vehicles registered at 8,000 pounds
11 or less under Section 3-815(b). Widows and widowers of
12 claimants shall also be entitled to this reduced registration
13 fee for the registration year in which the claimant was
14 eligible.

15 Commencing with the 2009 registration year, the
16 registration fee paid by any vehicle owner who has claimed and
17 received a grant under the Senior Citizens and Disabled Persons
18 Property Tax Relief and Pharmaceutical Assistance Act or who is
19 the spouse of such a person shall be \$24 instead of the fee
20 otherwise provided in this Code for passenger cars displaying
21 standard multi-year registration plates issued under Section
22 3-414.1, motor vehicles displaying special registration plates
23 issued under Section 3-607, 3-609, 3-616, 3-621, 3-622, 3-623,
24 3-624, 3-625, 3-626, 3-628, 3-638, 3-642, 3-645, 3-647, 3-650,
25 3-651, 3-663, or 3-664, motor vehicles registered at 8,000
26 pounds or less under Section 3-815(a), and recreational

1 vehicles registered at 8,000 pounds or less under Section
2 3-815(b). Widows and widowers of claimants shall also be
3 entitled to this reduced registration fee for the registration
4 year in which the claimant was eligible.

5 No more than one reduced registration fee under this
6 Section shall be allowed during any 12 month period based on
7 the primary eligibility of any individual, whether such reduced
8 registration fee is allowed to the individual or to the spouse,
9 widow or widower of such individual. This Section does not
10 apply to the fee paid in addition to the registration fee for
11 motor vehicles displaying vanity or special license plates.

12 (Source: P.A. 96-554, eff. 1-1-10; 97-689, eff. 6-14-12.)

13 (625 ILCS 5/11-1301.2) (from Ch. 95 1/2, par. 11-1301.2)

14 Sec. 11-1301.2. Special decals for parking; persons with
15 disabilities.

16 (a) The Secretary of State shall provide for, by
17 administrative rules, the design, size, color, and placement of
18 a person with disabilities motorist decal or device and shall
19 provide for, by administrative rules, the content and form of
20 an application for a person with disabilities motorist decal or
21 device, which shall be used by local authorities in the
22 issuance thereof to a person with temporary disabilities,
23 provided that the decal or device is valid for no more than 90
24 days, subject to renewal for like periods based upon continued
25 disability, and further provided that the decal or device

1 clearly sets forth the date that the decal or device expires.
2 The application shall include the requirement of an Illinois
3 Identification Card number or a State of Illinois driver's
4 license number. This decal or device may be used by the
5 authorized holder to designate and identify a vehicle not owned
6 or displaying a registration plate as provided in Sections
7 3-609 and 3-616 of this Act to designate when the vehicle is
8 being used to transport said person or persons with
9 disabilities, and thus is entitled to enjoy all the privileges
10 that would be afforded a person with disabilities licensed
11 vehicle. Person with disabilities decals or devices issued and
12 displayed pursuant to this Section shall be recognized and
13 honored by all local authorities regardless of which local
14 authority issued such decal or device.

15 The decal or device shall be issued only upon a showing by
16 adequate documentation that the person for whose benefit the
17 decal or device is to be used has a temporary disability as
18 defined in Section 1-159.1 of this Code.

19 (b) The local governing authorities shall be responsible
20 for the provision of such decal or device, its issuance and
21 designated placement within the vehicle. The cost of such decal
22 or device shall be at the discretion of such local governing
23 authority.

24 (c) The Secretary of State may, pursuant to Section
25 3-616(c), issue a person with disabilities parking decal or
26 device to a person with disabilities as defined by Section

1 1-159.1. Any person with disabilities parking decal or device
2 issued by the Secretary of State shall be registered to that
3 person with disabilities in the form to be prescribed by the
4 Secretary of State. The person with disabilities parking decal
5 or device shall not display that person's address. One
6 additional decal or device may be issued to an applicant upon
7 his or her written request and with the approval of the
8 Secretary of State. The written request must include a
9 justification of the need for the additional decal or device.

10 (d) Replacement decals or devices may be issued for lost,
11 stolen, or destroyed decals upon application and payment of a
12 \$10 fee. The replacement fee may be waived for individuals that
13 have claimed and received a grant under the Senior Citizens and
14 Disabled Persons Property Tax Relief and Pharmaceutical
15 Assistance Act.

16 (Source: P.A. 96-72, eff. 1-1-10; 96-79, eff. 1-1-10; 96-1000,
17 eff. 7-2-10; 97-689, eff. 6-14-12.)

18 Section 55. The Criminal Code of 1961 is amended by
19 changing Section 17-6.5 as follows:

20 (720 ILCS 5/17-6.5)

21 Sec. 17-6.5. Persons under deportation order;
22 ineligibility for benefits.

23 (a) An individual against whom a United States Immigration
24 Judge has issued an order of deportation which has been

1 affirmed by the Board of Immigration Review, as well as an
2 individual who appeals such an order pending appeal, under
3 paragraph 19 of Section 241(a) of the Immigration and
4 Nationality Act relating to persecution of others on account of
5 race, religion, national origin or political opinion under the
6 direction of or in association with the Nazi government of
7 Germany or its allies, shall be ineligible for the following
8 benefits authorized by State law:

9 (1) The homestead exemptions and homestead improvement
10 exemption under Sections 15-170, 15-175, 15-176, and
11 15-180 of the Property Tax Code.

12 (2) Grants under the Senior Citizens and Disabled
13 Persons Property Tax Relief and Pharmaceutical Assistance
14 Act.

15 (3) The double income tax exemption conferred upon
16 persons 65 years of age or older by Section 204 of the
17 Illinois Income Tax Act.

18 (4) Grants provided by the Department on Aging.

19 (5) Reductions in vehicle registration fees under
20 Section 3-806.3 of the Illinois Vehicle Code.

21 (6) Free fishing and reduced fishing license fees under
22 Sections 20-5 and 20-40 of the Fish and Aquatic Life Code.

23 (7) Tuition free courses for senior citizens under the
24 Senior Citizen Courses Act.

25 (8) Any benefits under the Illinois Public Aid Code.

26 (b) If a person has been found by a court to have knowingly

1 received benefits in violation of subsection (a) and:

2 (1) the total monetary value of the benefits received
3 is less than \$150, the person is guilty of a Class A
4 misdemeanor; a second or subsequent violation is a Class 4
5 felony;

6 (2) the total monetary value of the benefits received
7 is \$150 or more but less than \$1,000, the person is guilty
8 of a Class 4 felony; a second or subsequent violation is a
9 Class 3 felony;

10 (3) the total monetary value of the benefits received
11 is \$1,000 or more but less than \$5,000, the person is
12 guilty of a Class 3 felony; a second or subsequent
13 violation is a Class 2 felony;

14 (4) the total monetary value of the benefits received
15 is \$5,000 or more but less than \$10,000, the person is
16 guilty of a Class 2 felony; a second or subsequent
17 violation is a Class 1 felony; or

18 (5) the total monetary value of the benefits received
19 is \$10,000 or more, the person is guilty of a Class 1
20 felony.

21 (c) For purposes of determining the classification of an
22 offense under this Section, all of the monetary value of the
23 benefits received as a result of the unlawful act, practice, or
24 course of conduct may be accumulated.

25 (d) Any grants awarded to persons described in subsection
26 (a) may be recovered by the State of Illinois in a civil action

1 commenced by the Attorney General in the circuit court of
2 Sangamon County or the State's Attorney of the county of
3 residence of the person described in subsection (a).

4 (e) An individual described in subsection (a) who has been
5 deported shall be restored to any benefits which that
6 individual has been denied under State law pursuant to
7 subsection (a) if (i) the Attorney General of the United States
8 has issued an order cancelling deportation and has adjusted the
9 status of the individual to that of an alien lawfully admitted
10 for permanent residence in the United States or (ii) the
11 country to which the individual has been deported adjudicates
12 or exonerates the individual in a judicial or administrative
13 proceeding as not being guilty of the persecution of others on
14 account of race, religion, national origin, or political
15 opinion under the direction of or in association with the Nazi
16 government of Germany or its allies.

17 (Source: P.A. 96-1551, eff. 7-1-11; 97-689, eff. 6-14-12.)

1	INDEX	
2	Statutes amended in order of appearance	
3	5 ILCS 100/5-45	from Ch. 127, par. 1005-45
4	15 ILCS 405/10.05	from Ch. 15, par. 210.05
5	30 ILCS 105/6z-52	
6	30 ILCS 105/6z-81	
7	30 ILCS 740/2-15.2	
8	30 ILCS 740/2-15.3	
9	35 ILCS 200/15-172	
10	35 ILCS 200/15-175	
11	35 ILCS 200/20-15	
12	35 ILCS 200/21-27	
13	35 ILCS 515/7	from Ch. 120, par. 1207
14	70 ILCS 3605/51	
15	70 ILCS 3605/52	
16	70 ILCS 3610/8.6	
17	70 ILCS 3610/8.7	
18	70 ILCS 3615/3A.15	
19	70 ILCS 3615/3A.16	
20	70 ILCS 3615/3B.14	
21	70 ILCS 3615/3B.15	
22	110 ILCS 990/1	from Ch. 144, par. 1801
23	220 ILCS 10/9	from Ch. 111 2/3, par. 909
24	305 ILCS 5/3-1.2	from Ch. 23, par. 3-1.2
25	305 ILCS 5/3-5	from Ch. 23, par. 3-5

1	305 ILCS 5/4-1.6	from Ch. 23, par. 4-1.6
2	305 ILCS 5/4-2	from Ch. 23, par. 4-2
3	305 ILCS 5/5-2	from Ch. 23, par. 5-2
4	305 ILCS 5/5-4	from Ch. 23, par. 5-4
5	305 ILCS 5/5A-8	from Ch. 23, par. 5A-8
6	305 ILCS 5/6-1.2	from Ch. 23, par. 6-1.2
7	305 ILCS 5/6-2	from Ch. 23, par. 6-2
8	305 ILCS 5/12-9	from Ch. 23, par. 12-9
9	320 ILCS 25/Act title	
10	320 ILCS 25/1	from Ch. 67 1/2, par. 401
11	320 ILCS 25/1.5	
12	320 ILCS 25/2	from Ch. 67 1/2, par. 402
13	320 ILCS 25/3.05a	
14	320 ILCS 25/3.10	from Ch. 67 1/2, par. 403.10
15	320 ILCS 25/4	from Ch. 67 1/2, par. 404
16	320 ILCS 25/4.05	
17	320 ILCS 25/4.2 new	
18	320 ILCS 25/5	from Ch. 67 1/2, par. 405
19	320 ILCS 25/6	from Ch. 67 1/2, par. 406
20	320 ILCS 25/7	from Ch. 67 1/2, par. 407
21	320 ILCS 25/8	from Ch. 67 1/2, par. 408
22	320 ILCS 25/9	from Ch. 67 1/2, par. 409
23	320 ILCS 25/12	from Ch. 67 1/2, par. 412
24	320 ILCS 25/13	from Ch. 67 1/2, par. 413
25	320 ILCS 30/2	from Ch. 67 1/2, par. 452
26	320 ILCS 30/8	from Ch. 67 1/2, par. 458

- 1 320 ILCS 50/5
- 2 625 ILCS 5/3-609 from Ch. 95 1/2, par. 3-609
- 3 625 ILCS 5/3-623 from Ch. 95 1/2, par. 3-623
- 4 625 ILCS 5/3-626
- 5 625 ILCS 5/3-667
- 6 625 ILCS 5/3-683
- 7 625 ILCS 5/3-806.3 from Ch. 95 1/2, par. 3-806.3
- 8 625 ILCS 5/11-1301.2 from Ch. 95 1/2, par. 11-1301.2
- 9 720 ILCS 5/17-6.5