

# HB0187



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB0187

Introduced 1/22/2021, by Rep. La Shawn K. Ford, Rita Mayfield  
and Lindsey LaPointe

#### SYNOPSIS AS INTRODUCED:

See Index

Amends the Senior Citizens and Persons with Disabilities Property Tax Relief Act by reinstituting the pharmaceutical assistance program that was eliminated by Public Act 97-689 and changing the short title to the Senior Citizens and Persons with Disabilities Property Tax Relief and Pharmaceutical Assistance Act. Makes conforming changes in various Acts.

LRB102 04266 KTG 14284 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning aging.

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  
23 or at a stated date less than 10 days thereafter. The agency's

1 finding and a statement of the specific reasons for the  
2 finding shall be filed with the rule. The agency shall take  
3 reasonable and appropriate measures to make emergency rules  
4 known to the 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  
24 subsection (c-5) of this Section. Two or more emergency rules  
25 having substantially the same purpose and effect shall be  
26 deemed to be a single rule for purposes of this Section.

1 (c-5) To facilitate the maintenance of the program of  
2 group health benefits provided to annuitants, survivors, and  
3 retired employees under the State Employees Group Insurance  
4 Act of 1971, rules to alter the contributions to be paid by the  
5 State, annuitants, survivors, retired employees, or any  
6 combination of those entities, for that program of group  
7 health benefits, shall be adopted as emergency rules. The  
8 adoption of those rules shall be considered an emergency and  
9 necessary for the 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  
13 90-587 or 90-588 or any other budget initiative for fiscal  
14 year 1999 may be adopted in accordance with this Section by the  
15 agency charged with administering that provision or  
16 initiative, except that the 24-month limitation on the  
17 adoption of emergency rules and the provisions of Sections  
18 5-115 and 5-125 do not apply to rules adopted under this  
19 subsection (d). The adoption of emergency rules authorized by  
20 this subsection (d) shall be deemed to be necessary for the  
21 public interest, 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 Public Act 91-24  
25 or any other budget initiative for fiscal year 2000 may be  
26 adopted in accordance with this Section by the agency charged

1 with administering that provision or initiative, except that  
2 the 24-month limitation on the adoption of emergency rules and  
3 the provisions of Sections 5-115 and 5-125 do not apply to  
4 rules adopted under this subsection (e). The adoption of  
5 emergency rules authorized by this subsection (e) shall be  
6 deemed to be necessary for the public interest, safety, and  
7 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 Public Act  
11 91-712 or any other budget initiative for fiscal year 2001 may  
12 be adopted in accordance with this Section by the agency  
13 charged with administering that provision or initiative,  
14 except that the 24-month limitation on the adoption of  
15 emergency rules and the provisions of Sections 5-115 and 5-125  
16 do not apply to rules adopted under this subsection (f). The  
17 adoption of emergency rules authorized by this subsection (f)  
18 shall be deemed to be necessary for the public interest,  
19 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 Public Act 92-10  
23 or any other budget initiative for fiscal year 2002 may be  
24 adopted in accordance with this Section by the agency charged  
25 with administering that provision or initiative, except that  
26 the 24-month limitation on the adoption of emergency rules and

1 the provisions of Sections 5-115 and 5-125 do not apply to  
2 rules adopted under this subsection (g). The adoption of  
3 emergency rules authorized by this subsection (g) shall be  
4 deemed to be necessary for the public interest, safety, and  
5 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 Public Act  
9 92-597 or any other budget initiative for fiscal year 2003 may  
10 be adopted in accordance with this Section by the agency  
11 charged with administering that provision or initiative,  
12 except that the 24-month limitation on the adoption of  
13 emergency rules and the provisions of Sections 5-115 and 5-125  
14 do not apply to rules adopted under this subsection (h). The  
15 adoption of emergency rules authorized by this subsection (h)  
16 shall be deemed to be necessary for the public interest,  
17 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 Public Act 93-20  
21 or any other budget initiative for fiscal year 2004 may be  
22 adopted in accordance with this Section by the agency charged  
23 with administering that provision or initiative, except that  
24 the 24-month limitation on the adoption of emergency rules and  
25 the provisions of Sections 5-115 and 5-125 do not apply to  
26 rules adopted under this subsection (i). The adoption of

1 emergency rules authorized by this subsection (i) shall be  
2 deemed to be necessary for the public interest, safety, and  
3 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  
15 Aid may also adopt rules under this subsection (j) necessary  
16 to 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  
23 Public Act 94-48 or any other budget initiative for fiscal  
24 year 2006 may be adopted in accordance with this Section by the  
25 agency charged with administering that provision or  
26 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 (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 Persons with Disabilities Property Tax  
7 Relief and Pharmaceutical Assistance Act, the Senior Citizens  
8 and Disabled Persons Prescription Drug Discount Program Act  
9 (now the Illinois Prescription Drug Discount Program Act), and  
10 the 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  
17 Public Act 96-45 or any other budget initiative authorized by  
18 the 96th General Assembly for fiscal year 2010 may be adopted  
19 in accordance with this Section by the agency charged with  
20 administering that provision or initiative. The adoption of  
21 emergency rules authorized by this subsection (n) shall be  
22 deemed to be necessary for the public interest, safety, and  
23 welfare. The rulemaking authority granted in this subsection  
24 (n) shall apply only to rules promulgated during Fiscal Year  
25 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  
3 Public Act 96-958 or any other budget initiative authorized by  
4 the 96th General Assembly for fiscal year 2011 may be adopted  
5 in accordance with this Section by the agency charged with  
6 administering that provision or initiative. The adoption of  
7 emergency rules authorized by this subsection (o) is deemed to  
8 be necessary for the public interest, safety, and welfare. The  
9 rulemaking authority granted in this subsection (o) applies  
10 only to rules promulgated on or after July 1, 2010 (the  
11 effective date of Public Act 96-958) through June 30, 2011.

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

25 (q) In order to provide for the expeditious and timely  
26 implementation of the provisions of Articles 7, 8, 9, 11, and

1 12 of Public Act 98-104, emergency rules to implement any  
2 provision of Articles 7, 8, 9, 11, and 12 of Public Act 98-104  
3 may be adopted in accordance with this subsection (q) by the  
4 agency charged with administering that provision or  
5 initiative. The 24-month limitation on the adoption of  
6 emergency rules does not apply to rules adopted under this  
7 subsection (q). The adoption of emergency rules authorized by  
8 this subsection (q) is deemed to be necessary for the public  
9 interest, safety, and welfare.

10 (r) In order to provide for the expeditious and timely  
11 implementation of the provisions of Public Act 98-651,  
12 emergency rules to implement Public Act 98-651 may be adopted  
13 in accordance with this subsection (r) by the Department of  
14 Healthcare and Family Services. The 24-month limitation on the  
15 adoption of emergency rules does not apply to rules adopted  
16 under this subsection (r). The adoption of emergency rules  
17 authorized by this subsection (r) is deemed to be necessary  
18 for the public interest, safety, and welfare.

19 (s) In order to provide for the expeditious and timely  
20 implementation of the provisions of Sections 5-5b.1 and 5A-2  
21 of the Illinois Public Aid Code, emergency rules to implement  
22 any provision of Section 5-5b.1 or Section 5A-2 of the  
23 Illinois Public Aid Code may be adopted in accordance with  
24 this subsection (s) by the Department of Healthcare and Family  
25 Services. The rulemaking authority granted in this subsection  
26 (s) shall apply only to those rules adopted prior to July 1,

1 2015. Notwithstanding any other provision of this Section, any  
2 emergency rule adopted under this subsection (s) shall only  
3 apply to payments made for State fiscal year 2015. The  
4 adoption of emergency rules authorized by this subsection (s)  
5 is deemed to be necessary for the public interest, safety, and  
6 welfare.

7 (t) In order to provide for the expeditious and timely  
8 implementation of the provisions of Article II of Public Act  
9 99-6, emergency rules to implement the changes made by Article  
10 II of Public Act 99-6 to the Emergency Telephone System Act may  
11 be adopted in accordance with this subsection (t) by the  
12 Department of State Police. The rulemaking authority granted  
13 in this subsection (t) shall apply only to those rules adopted  
14 prior to July 1, 2016. The 24-month limitation on the adoption  
15 of emergency rules does not apply to rules adopted under this  
16 subsection (t). The adoption of emergency rules authorized by  
17 this subsection (t) is deemed to be necessary for the public  
18 interest, safety, and welfare.

19 (u) In order to provide for the expeditious and timely  
20 implementation of the provisions of the Burn Victims Relief  
21 Act, emergency rules to implement any provision of the Act may  
22 be adopted in accordance with this subsection (u) by the  
23 Department of Insurance. The rulemaking authority granted in  
24 this subsection (u) shall apply only to those rules adopted  
25 prior to December 31, 2015. The adoption of emergency rules  
26 authorized by this subsection (u) is deemed to be necessary

1 for the public interest, safety, and welfare.

2 (v) In order to provide for the expeditious and timely  
3 implementation of the provisions of Public Act 99-516,  
4 emergency rules to implement Public Act 99-516 may be adopted  
5 in accordance with this subsection (v) by the Department of  
6 Healthcare and Family Services. The 24-month limitation on the  
7 adoption of emergency rules does not apply to rules adopted  
8 under this subsection (v). The adoption of emergency rules  
9 authorized by this subsection (v) is deemed to be necessary  
10 for the public interest, safety, and welfare.

11 (w) In order to provide for the expeditious and timely  
12 implementation of the provisions of Public Act 99-796,  
13 emergency rules to implement the changes made by Public Act  
14 99-796 may be adopted in accordance with this subsection (w)  
15 by the Adjutant General. The adoption of emergency rules  
16 authorized by this subsection (w) is deemed to be necessary  
17 for the public interest, safety, and welfare.

18 (x) In order to provide for the expeditious and timely  
19 implementation of the provisions of Public Act 99-906,  
20 emergency rules to implement subsection (i) of Section  
21 16-115D, subsection (g) of Section 16-128A, and subsection (a)  
22 of Section 16-128B of the Public Utilities Act may be adopted  
23 in accordance with this subsection (x) by the Illinois  
24 Commerce Commission. The rulemaking authority granted in this  
25 subsection (x) shall apply only to those rules adopted within  
26 180 days after June 1, 2017 (the effective date of Public Act

1 99-906). The adoption of emergency rules authorized by this  
2 subsection (x) is deemed to be necessary for the public  
3 interest, safety, and welfare.

4 (y) In order to provide for the expeditious and timely  
5 implementation of the provisions of Public Act 100-23,  
6 emergency rules to implement the changes made by Public Act  
7 100-23 to Section 4.02 of the Illinois Act on the Aging,  
8 Sections 5.5.4 and 5-5.4i of the Illinois Public Aid Code,  
9 Section 55-30 of the Alcoholism and Other Drug Abuse and  
10 Dependency Act, and Sections 74 and 75 of the Mental Health and  
11 Developmental Disabilities Administrative Act may be adopted  
12 in accordance with this subsection (y) by the respective  
13 Department. The adoption of emergency rules authorized by this  
14 subsection (y) is deemed to be necessary for the public  
15 interest, safety, and welfare.

16 (z) In order to provide for the expeditious and timely  
17 implementation of the provisions of Public Act 100-554,  
18 emergency rules to implement the changes made by Public Act  
19 100-554 to Section 4.7 of the Lobbyist Registration Act may be  
20 adopted in accordance with this subsection (z) by the  
21 Secretary of State. The adoption of emergency rules authorized  
22 by this subsection (z) is deemed to be necessary for the public  
23 interest, safety, and welfare.

24 (aa) In order to provide for the expeditious and timely  
25 initial implementation of the changes made to Articles 5, 5A,  
26 12, and 14 of the Illinois Public Aid Code under the provisions

1 of Public Act 100-581, the Department of Healthcare and Family  
2 Services may adopt emergency rules in accordance with this  
3 subsection (aa). The 24-month limitation on the adoption of  
4 emergency rules does not apply to rules to initially implement  
5 the changes made to Articles 5, 5A, 12, and 14 of the Illinois  
6 Public Aid Code adopted under this subsection (aa). The  
7 adoption of emergency rules authorized by this subsection (aa)  
8 is deemed to be necessary for the public interest, safety, and  
9 welfare.

10 (bb) In order to provide for the expeditious and timely  
11 implementation of the provisions of Public Act 100-587,  
12 emergency rules to implement the changes made by Public Act  
13 100-587 to Section 4.02 of the Illinois Act on the Aging,  
14 Sections 5.5.4 and 5-5.4i of the Illinois Public Aid Code,  
15 subsection (b) of Section 55-30 of the Alcoholism and Other  
16 Drug Abuse and Dependency Act, Section 5-104 of the  
17 Specialized Mental Health Rehabilitation Act of 2013, and  
18 Section 75 and subsection (b) of Section 74 of the Mental  
19 Health and Developmental Disabilities Administrative Act may  
20 be adopted in accordance with this subsection (bb) by the  
21 respective Department. The adoption of emergency rules  
22 authorized by this subsection (bb) is deemed to be necessary  
23 for the public interest, safety, and welfare.

24 (cc) In order to provide for the expeditious and timely  
25 implementation of the provisions of Public Act 100-587,  
26 emergency rules may be adopted in accordance with this

1 subsection (cc) to implement the changes made by Public Act  
2 100-587 to: Sections 14-147.5 and 14-147.6 of the Illinois  
3 Pension Code by the Board created under Article 14 of the Code;  
4 Sections 15-185.5 and 15-185.6 of the Illinois Pension Code by  
5 the Board created under Article 15 of the Code; and Sections  
6 16-190.5 and 16-190.6 of the Illinois Pension Code by the  
7 Board created under Article 16 of the Code. The adoption of  
8 emergency rules authorized by this subsection (cc) is deemed  
9 to be necessary for the public interest, safety, and welfare.

10 (dd) In order to provide for the expeditious and timely  
11 implementation of the provisions of Public Act 100-864,  
12 emergency rules to implement the changes made by Public Act  
13 100-864 to Section 3.35 of the Newborn Metabolic Screening Act  
14 may be adopted in accordance with this subsection (dd) by the  
15 Secretary of State. The adoption of emergency rules authorized  
16 by this subsection (dd) is deemed to be necessary for the  
17 public interest, safety, and welfare.

18 (ee) In order to provide for the expeditious and timely  
19 implementation of the provisions of Public Act 100-1172,  
20 emergency rules implementing the Illinois Underground Natural  
21 Gas Storage Safety Act may be adopted in accordance with this  
22 subsection by the Department of Natural Resources. The  
23 adoption of emergency rules authorized by this subsection is  
24 deemed to be necessary for the public interest, safety, and  
25 welfare.

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



1 initial implementation of the changes made to Articles 5A and  
2 14 of the Illinois Public Aid Code under the provisions of  
3 Public Act 100-1181, the Department of Healthcare and Family  
4 Services may on a one-time-only basis adopt emergency rules in  
5 accordance with this subsection (ff). The 24-month limitation  
6 on the adoption of emergency rules does not apply to rules to  
7 initially implement the changes made to Articles 5A and 14 of  
8 the Illinois Public Aid Code adopted under this subsection  
9 (ff). The adoption of emergency rules authorized by this  
10 subsection (ff) is deemed to be necessary for the public  
11 interest, safety, and welfare.

12 (gg) In order to provide for the expeditious and timely  
13 implementation of the provisions of Public Act 101-1,  
14 emergency rules may be adopted by the Department of Labor in  
15 accordance with this subsection (gg) to implement the changes  
16 made by Public Act 101-1 to the Minimum Wage Law. The adoption  
17 of emergency rules authorized by this subsection (gg) is  
18 deemed to be necessary for the public interest, safety, and  
19 welfare.

20 (hh) In order to provide for the expeditious and timely  
21 implementation of the provisions of Public Act 101-10,  
22 emergency rules may be adopted in accordance with this  
23 subsection (hh) to implement the changes made by Public Act  
24 101-10 to subsection (j) of Section 5-5.2 of the Illinois  
25 Public Aid Code. The adoption of emergency rules authorized by  
26 this subsection (hh) is deemed to be necessary for the public

1 interest, safety, and welfare.

2 (ii) In order to provide for the expeditious and timely  
3 implementation of the provisions of Public Act 101-10,  
4 emergency rules to implement the changes made by Public Act  
5 101-10 to Sections 5-5.4 and 5-5.4i of the Illinois Public Aid  
6 Code may be adopted in accordance with this subsection (ii) by  
7 the Department of Public Health. The adoption of emergency  
8 rules authorized by this subsection (ii) is deemed to be  
9 necessary for the public interest, safety, and welfare.

10 (jj) In order to provide for the expeditious and timely  
11 implementation of the provisions of Public Act 101-10,  
12 emergency rules to implement the changes made by Public Act  
13 101-10 to Section 74 of the Mental Health and Developmental  
14 Disabilities Administrative Act may be adopted in accordance  
15 with this subsection (jj) by the Department of Human Services.  
16 The adoption of emergency rules authorized by this subsection  
17 (jj) is deemed to be necessary for the public interest,  
18 safety, and welfare.

19 (kk) In order to provide for the expeditious and timely  
20 implementation of the Cannabis Regulation and Tax Act and  
21 Public Act 101-27, the Department of Revenue, the Department  
22 of Public Health, the Department of Agriculture, the  
23 Department of State Police, and the Department of Financial  
24 and Professional Regulation may adopt emergency rules in  
25 accordance with this subsection (kk). The rulemaking authority  
26 granted in this subsection (kk) shall apply only to rules

1 adopted before December 31, 2021. Notwithstanding the  
2 provisions of subsection (c), emergency rules adopted under  
3 this subsection (kk) shall be effective for 180 days. The  
4 adoption of emergency rules authorized by this subsection (kk)  
5 is deemed to be necessary for the public interest, safety, and  
6 welfare.

7 (ll) In order to provide for the expeditious and timely  
8 implementation of the provisions of the Leveling the Playing  
9 Field for Illinois Retail Act, emergency rules may be adopted  
10 in accordance with this subsection (ll) to implement the  
11 changes made by the Leveling the Playing Field for Illinois  
12 Retail Act. The adoption of emergency rules authorized by this  
13 subsection (ll) is deemed to be necessary for the public  
14 interest, safety, and welfare.

15 (mm) In order to provide for the expeditious and timely  
16 implementation of the provisions of Section 25-70 of the  
17 Sports Wagering Act, emergency rules to implement Section  
18 25-70 of the Sports Wagering Act may be adopted in accordance  
19 with this subsection (mm) by the Department of the Lottery as  
20 provided in the Sports Wagering Act. The adoption of emergency  
21 rules authorized by this subsection (mm) is deemed to be  
22 necessary for the public interest, safety, and welfare.

23 (nn) In order to provide for the expeditious and timely  
24 implementation of the Sports Wagering Act, emergency rules to  
25 implement the Sports Wagering Act may be adopted in accordance  
26 with this subsection (nn) by the Illinois Gaming Board. The

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

4 (oo) In order to provide for the expeditious and timely  
5 implementation of the provisions of subsection (c) of Section  
6 20 of the Video Gaming Act, emergency rules to implement the  
7 provisions of subsection (c) of Section 20 of the Video Gaming  
8 Act may be adopted in accordance with this subsection (oo) by  
9 the Illinois Gaming Board. The adoption of emergency rules  
10 authorized by this subsection (oo) is deemed to be necessary  
11 for the public interest, safety, and welfare.

12 (pp) In order to provide for the expeditious and timely  
13 implementation of the provisions of Section 50 of the Sexual  
14 Assault Evidence Submission Act, emergency rules to implement  
15 Section 50 of the Sexual Assault Evidence Submission Act may  
16 be adopted in accordance with this subsection (pp) by the  
17 Department of State Police. The adoption of emergency rules  
18 authorized by this subsection (pp) is deemed to be necessary  
19 for the public interest, safety, and welfare.

20 (qq) In order to provide for the expeditious and timely  
21 implementation of the provisions of the Illinois Works Jobs  
22 Program Act, emergency rules may be adopted in accordance with  
23 this subsection (qq) to implement the Illinois Works Jobs  
24 Program Act. The adoption of emergency rules authorized by  
25 this subsection (qq) is deemed to be necessary for the public  
26 interest, safety, and welfare.

1 (Source: P.A. 100-23, eff. 7-6-17; 100-554, eff. 11-16-17;  
2 100-581, eff. 3-12-18; 100-587, Article 95, Section 95-5, eff.  
3 6-4-18; 100-587, Article 110, Section 110-5, eff. 6-4-18;  
4 100-864, eff. 8-14-18; 100-1172, eff. 1-4-19; 100-1181, eff.  
5 3-8-19; 101-1, eff. 2-19-19; 101-10, Article 20, Section 20-5,  
6 eff. 6-5-19; 101-10, Article 35, Section 35-5, eff. 6-5-19;  
7 101-27, eff. 6-25-19; 101-31, Article 15, Section 15-5, eff.  
8 6-28-19; 101-31, Article 25, Section 25-900, eff. 6-28-19;  
9 101-31, Article 35, Section 35-3, eff. 6-28-19; 101-377, eff.  
10 8-16-19; 101-601, eff. 12-10-19.)

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

13 (15 ILCS 405/10.05) (from Ch. 15, par. 210.05)

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

1 in Section 1 of the Board of Higher Education Act, or the clerk  
2 of a circuit court, upon certification by that entity, the  
3 Comptroller, upon notification thereof, shall ascertain the  
4 amount due and payable to the State, the United States, the  
5 unit of local government, the school district, the public  
6 institution of higher education, or the clerk of the circuit  
7 court, as aforesaid, and draw a warrant on the treasury or on  
8 other funds held by the State Treasurer, stating the amount  
9 for which the party was entitled to a warrant or other payment,  
10 the amount deducted therefrom, and on what account, and  
11 directing the payment of the balance; which warrant or payment  
12 as so drawn shall be entered on the books of the Treasurer, and  
13 such balance only shall be paid. The Comptroller may deduct  
14 any one or more of the following: (i) the entire amount due and  
15 payable to the State or a portion of the amount due and payable  
16 to the State in accordance with the request of the notifying  
17 agency; (ii) the entire amount due and payable to the United  
18 States or a portion of the amount due and payable to the United  
19 States in accordance with a reciprocal offset agreement under  
20 subsection (i-1) of Section 10 of the Illinois State  
21 Collection Act of 1986; or (iii) the entire amount due and  
22 payable to the unit of local government, school district,  
23 public institution of higher education, or clerk of the  
24 circuit court, or a portion of the amount due and payable to  
25 that entity, in accordance with an intergovernmental agreement  
26 authorized under this Section and Section 10.05d. No request

1 from a notifying agency, the Secretary of the Treasury of the  
2 United States, a unit of local government, a school district,  
3 a public institution of higher education, or the clerk of a  
4 circuit court for an amount to be deducted under this Section  
5 from a wage or salary payment, from a contractual payment to an  
6 individual for personal services, or from pension annuity  
7 payments made under the Illinois Pension Code shall exceed 25%  
8 of the net amount of such payment. "Net amount" means that part  
9 of the earnings of an individual remaining after deduction of  
10 any amounts required by law to be withheld. For purposes of  
11 this provision, wage, salary or other payments for personal  
12 services shall not include final compensation payments for the  
13 value of accrued vacation, overtime or sick leave. Whenever  
14 the Comptroller draws a warrant or makes a payment involving a  
15 deduction ordered under this Section, the Comptroller shall  
16 notify the payee and the State agency that submitted the  
17 voucher of the reason for the deduction and he or she shall  
18 retain a record of such statement in his or her records. As  
19 used in this Section, an "account or claim in favor of the  
20 State" includes all amounts owing to "State agencies" as  
21 defined in Section 7 of this Act. However, the Comptroller  
22 shall not be required to accept accounts or claims owing to  
23 funds not held by the State Treasurer, where such accounts or  
24 claims do not exceed \$50, nor shall the Comptroller deduct  
25 from funds held by the State Treasurer under the Senior  
26 Citizens and Persons with Disabilities Property Tax Relief and

1 Pharmaceutical Assistance Act or for payments to institutions  
2 from the Illinois Prepaid Tuition Trust Fund (unless the Trust  
3 Fund moneys are used for child support). The Comptroller shall  
4 not deduct from payments to be disbursed from the Child  
5 Support Enforcement Trust Fund as provided for under Section  
6 12-10.2 of the Illinois Public Aid Code, except for payments  
7 representing interest on child support obligations under  
8 Section 10-16.5 of that Code. The Comptroller and the  
9 Department of Revenue shall enter into an interagency  
10 agreement to establish responsibilities, duties, and  
11 procedures relating to deductions from lottery prizes awarded  
12 under Section 20.1 of the Illinois Lottery Law. The  
13 Comptroller may enter into an intergovernmental agreement with  
14 the Department of Revenue and the Secretary of the Treasury of  
15 the United States, or his or her delegate, to establish  
16 responsibilities, duties, and procedures relating to  
17 reciprocal offset of delinquent State and federal obligations  
18 pursuant to subsection (i-1) of Section 10 of the Illinois  
19 State Collection Act of 1986. The Comptroller may enter into  
20 intergovernmental agreements with any unit of local  
21 government, school district, public institution of higher  
22 education, or clerk of a circuit court to establish  
23 responsibilities, duties, and procedures to provide for the  
24 offset, by the Comptroller, of obligations owed to those  
25 entities.

26 For the purposes of this Section, "clerk of a circuit



1 court" means the clerk of a circuit court in any county in the  
2 State.

3 (Source: P.A. 99-143, eff. 7-27-15; 100-763, eff. 8-10-18.)

4 Section 10. The Illinois Act on the Aging is amended by  
5 changing Section 4.15 as follows:

6 (20 ILCS 105/4.15)

7 Sec. 4.15. Eligibility determinations.

8 (a) The Department is authorized to make eligibility  
9 determinations for benefits administered by other governmental  
10 bodies based on the Senior Citizens and Persons with  
11 Disabilities Property Tax Relief and Pharmaceutical Assistance  
12 Act as follows:

13 (i) for the Secretary of State with respect to reduced  
14 fees paid by qualified vehicle owners under the Illinois  
15 Vehicle Code;

16 (ii) for special districts that offer free fixed route  
17 public transportation services for qualified older adults  
18 under the Local Mass Transit District Act, the  
19 Metropolitan Transit Authority Act, and the Regional  
20 Transportation Authority Act; and

21 (iii) for special districts that offer transit  
22 services for qualified individuals with disabilities under  
23 the Local Mass Transit District Act, the Metropolitan  
24 Transit Authority Act, and the Regional Transportation

1 Authority Act.

2 (b) The Department shall establish the manner by which  
3 claimants shall apply for these benefits. The Department is  
4 authorized to promulgate rules regarding the following  
5 matters: the application cycle; the application process; the  
6 content for an electronic application; required personal  
7 identification information; acceptable proof of eligibility as  
8 to age, disability status, marital status, residency, and  
9 household income limits; household composition; calculating  
10 income; use of social security numbers; duration of  
11 eligibility determinations; and any other matters necessary  
12 for such administrative operations.

13 (c) All information received by the Department from an  
14 application or from any investigation to determine eligibility  
15 for benefits shall be confidential, except for official  
16 purposes.

17 (d) A person may not under any circumstances charge a fee  
18 to a claimant for assistance in completing an application form  
19 for these benefits.

20 (Source: P.A. 98-887, eff. 8-15-14; 99-143, eff. 7-27-15.)

21 Section 15. The State Finance Act is amended by changing  
22 Sections 6z-52 and 6z-81 as follows:

23 (30 ILCS 105/6z-52)

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

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

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

7 (1) For payments for reimbursement or coverage for  
8 prescription drugs and other pharmacy products provided to  
9 a recipient of medical assistance under the Illinois  
10 Public Aid Code, the Children's Health Insurance Program  
11 Act, the Covering ALL KIDS Health Insurance Act, ~~and~~ the  
12 Veterans' Health Insurance Program Act of 2008, and the  
13 Senior Citizens and Persons with Disabilities Property Tax  
14 Relief and Pharmaceutical Assistance Act.

15 (1.5) For payments to managed care organizations as  
16 defined in Section 5-30.1 of the Illinois Public Aid Code.

17 (2) For reimbursement of moneys collected by the  
18 Department of Healthcare and Family Services (formerly  
19 Illinois Department of Public Aid) through error or  
20 mistake.

21 (3) For payments of any amounts that are reimbursable  
22 to the federal government resulting from a payment into  
23 this Fund.

24 (4) (Blank). ~~For payments of operational and~~  
25 ~~administrative expenses related to providing and managing~~  
26 ~~coverage for prescription drugs and other pharmacy~~

1 ~~products provided to a recipient of medical assistance~~  
2 ~~under the Illinois Public Aid Code, the Children's Health~~  
3 ~~Insurance Program Act, the Covering ALL KIDS Health~~  
4 ~~Insurance Act, and the Veterans' Health Insurance Program~~  
5 ~~Act of 2008.~~

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

7 (1) Upon notification from the Director of Healthcare  
8 and Family Services, the Comptroller shall direct and the  
9 Treasurer shall transfer the net State share (disregarding  
10 the reduction in net State share attributable to the  
11 American Recovery and Reinvestment Act of 2009 or any  
12 other federal economic stimulus program) of all moneys  
13 received by the Department of Healthcare and Family  
14 Services (formerly Illinois Department of Public Aid) from  
15 drug rebate agreements with pharmaceutical manufacturers  
16 pursuant to Title XIX of the federal Social Security Act,  
17 including any portion of the balance in the Public Aid  
18 Recoveries Trust Fund on July 1, 2001 that is attributable  
19 to such receipts.

20 (2) All federal matching funds received by the  
21 Illinois Department as a result of expenditures made by  
22 the Department that are attributable to moneys deposited  
23 in the Fund.

24 (3) Any premium collected by the Illinois Department  
25 from participants under a waiver approved by the federal  
26 government relating to provision of pharmaceutical

1 services.

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

4 (Source: P.A. 100-23, eff. 7-6-17.)

5 (30 ILCS 105/6z-81)

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

7 (a) There is created in the State treasury a special fund  
8 to be known as the Healthcare Provider Relief Fund.

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

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

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

25 (3) For making payments to the human poison control

1 center pursuant to Section 12-4.105 of the Illinois Public  
2 Aid Code.

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

4 (1) Moneys received by the State from short-term  
5 borrowing pursuant to the Short Term Borrowing Act on or  
6 after the effective date of Public Act 96-820.

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

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

15 (3.5) Proceeds from the assessment authorized under  
16 Article V-H of the Illinois Public Aid Code.

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

19 (5) All federal matching funds received by the  
20 Illinois Department of Healthcare and Family Services as a  
21 result of expenditures made by the Department for Medical  
22 Assistance from the General Revenue Fund, the Tobacco  
23 Settlement Recovery Fund, the Long-Term Care Provider  
24 Fund, and the Drug Rebate Fund related to individuals  
25 eligible for medical assistance pursuant to the Patient  
26 Protection and Affordable Care Act (P.L. 111-148) and

1 Section 5-2 of the Illinois Public Aid Code.

2 (d) In addition to any other transfers that may be  
3 provided for by law, on the effective date of Public Act 97-44,  
4 or as soon thereafter as practical, the State Comptroller  
5 shall direct and the State Treasurer shall transfer the sum of  
6 \$365,000,000 from the General Revenue Fund into the Healthcare  
7 Provider Relief Fund.

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

13 (f) Notwithstanding any other State law to the contrary,  
14 and in addition to any other transfers that may be provided for  
15 by law, the State Comptroller shall order transferred and the  
16 State Treasurer shall transfer \$500,000,000 to the Healthcare  
17 Provider Relief Fund from the General Revenue Fund in equal  
18 monthly installments of \$100,000,000, with the first transfer  
19 to be made on July 1, 2012, or as soon thereafter as practical,  
20 and with each of the remaining transfers to be made on August  
21 1, 2012, September 1, 2012, October 1, 2012, and November 1,  
22 2012, or as soon thereafter as practical. This transfer may  
23 assist the Department of Healthcare and Family Services in  
24 improving Medical Assistance bill processing timeframes or in  
25 meeting the possible requirements of Senate Bill 3397, or  
26 other similar legislation, of the 97th General Assembly should

1 it become law.

2 (g) Notwithstanding any other State law to the contrary,  
3 and in addition to any other transfers that may be provided for  
4 by law, on July 1, 2013, or as soon thereafter as may be  
5 practical, the State Comptroller shall direct and the State  
6 Treasurer shall transfer the sum of \$601,000,000 from the  
7 General Revenue Fund to the Healthcare Provider Relief Fund.

8 (Source: P.A. 100-587, eff. 6-4-18; 101-9, eff. 6-5-19;  
9 101-650, eff. 7-7-20.)

10 Section 20. 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



1 of the 96th General Assembly, any fixed route public  
2 transportation services provided by, or under grant or  
3 purchase of service contracts of, every participant, as  
4 defined in Section 2-2.02 (1)(a), 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  
7 Section 4 of the Senior Citizens and Persons with Disabilities  
8 Property Tax Relief and Pharmaceutical Assistance Act, under  
9 such 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. 99-143, eff. 7-27-15.)

17 (30 ILCS 740/2-15.3)

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

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

8 (Source: P.A. 99-143, eff. 7-27-15.)

9 Section 25. The Property Tax Code is amended by changing  
10 Sections 15-172, 15-175, 20-15, and 21-27 as follows:

11 (35 ILCS 200/15-172)

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

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

16 (b) As used in this Section:

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

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

23 "Base year" means the taxable year prior to the taxable  
24 year for which the applicant first qualifies and applies for

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

1 considered the lowest equalized assessed value. The selected  
2 year shall be the base year for taxable year 1999 and  
3 thereafter until a new base year is established under the  
4 terms of this paragraph.

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

8 "Equalized assessed value" means the assessed value as  
9 equalized by the Illinois Department of Revenue.

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

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

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

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

25 "Life care facility that qualifies as a cooperative" means  
26 a facility as defined in Section 2 of the Life Care Facilities

1 Act.

2 "Maximum income limitation" means:

3 (1) \$35,000 prior to taxable year 1999;

4 (2) \$40,000 in taxable years 1999 through 2003;

5 (3) \$45,000 in taxable years 2004 through 2005;

6 (4) \$50,000 in taxable years 2006 and 2007;

7 (5) \$55,000 in taxable years 2008 through 2016;

8 (6) for taxable year 2017, (i) \$65,000 for qualified

9 property located in a county with 3,000,000 or more

10 inhabitants and (ii) \$55,000 for qualified property

11 located in a county with fewer than 3,000,000 inhabitants;

12 and

13 (7) for taxable years 2018 and thereafter, \$65,000 for

14 all qualified property.

15 "Residence" means the principal dwelling place and

16 appurtenant structures used for residential purposes in this

17 State occupied on January 1 of the taxable year by a household

18 and so much of the surrounding land, constituting the parcel

19 upon which the dwelling place is situated, as is used for

20 residential purposes. If the Chief County Assessment Officer

21 has established a specific legal description for a portion of

22 property constituting the residence, then that portion of

23 property shall be deemed the residence for the purposes of

24 this Section.

25 "Taxable year" means the calendar year during which ad

26 valorem property taxes payable in the next succeeding year are

1 levied.

2 (c) Beginning in taxable year 1994, a senior citizens  
3 assessment freeze homestead exemption is granted for real  
4 property that is improved with a permanent structure that is  
5 occupied as a residence by an applicant who (i) is 65 years of  
6 age or older during the taxable year, (ii) has a household  
7 income that does not exceed the maximum income limitation,  
8 (iii) is liable for paying real property taxes on the  
9 property, and (iv) is an owner of record of the property or has  
10 a legal or equitable interest in the property as evidenced by a  
11 written instrument. This homestead exemption shall also apply  
12 to a leasehold interest in a parcel of property improved with a  
13 permanent structure that is a single family residence that is  
14 occupied as a residence by a person who (i) is 65 years of age  
15 or older during the taxable year, (ii) has a household income  
16 that does not exceed the maximum income limitation, (iii) has  
17 a legal or equitable ownership interest in the property as  
18 lessee, and (iv) is liable for the payment of real property  
19 taxes on that property.

20 In counties of 3,000,000 or more inhabitants, the amount  
21 of the exemption for all taxable years is the equalized  
22 assessed value of the residence in the taxable year for which  
23 application is made minus the base amount. In all other  
24 counties, the amount of the exemption is as follows: (i)  
25 through taxable year 2005 and for taxable year 2007 and  
26 thereafter, the amount of this exemption shall be the

1 equalized assessed value of the residence in the taxable year  
2 for which application is made minus the base amount; and (ii)  
3 for taxable year 2006, the amount of the exemption is as  
4 follows:

5 (1) For an applicant who has a household income of  
6 \$45,000 or less, the amount of the exemption is the  
7 equalized assessed value of the residence in the taxable  
8 year for which application is made minus the base amount.

9 (2) For an applicant who has a household income  
10 exceeding \$45,000 but not exceeding \$46,250, the amount of  
11 the exemption is (i) the equalized assessed value of the  
12 residence in the taxable year for which application is  
13 made minus the base amount (ii) multiplied by 0.8.

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

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

24 (5) For an applicant who has a household income  
25 exceeding \$48,750 but not exceeding \$50,000, the amount of  
26 the exemption is (i) the equalized assessed value of the

1 residence in the taxable year for which application is  
2 made minus the base amount (ii) multiplied by 0.2.

3 When the applicant is a surviving spouse of an applicant  
4 for a prior year for the same residence for which an exemption  
5 under this Section has been granted, the base year and base  
6 amount for that residence are the same as for the applicant for  
7 the prior year.

8 Each year at the time the assessment books are certified  
9 to the County Clerk, the Board of Review or Board of Appeals  
10 shall give to the County Clerk a list of the assessed values of  
11 improvements on each parcel qualifying for this exemption that  
12 were added after the base year for this parcel and that  
13 increased the assessed value of the property.

14 In the case of land improved with an apartment building  
15 owned and operated as a cooperative or a building that is a  
16 life care facility that qualifies as a cooperative, the  
17 maximum reduction from the equalized assessed value of the  
18 property is limited to the sum of the reductions calculated  
19 for each unit occupied as a residence by a person or persons  
20 (i) 65 years of age or older, (ii) with a household income that  
21 does not exceed the maximum income limitation, (iii) who is  
22 liable, by contract with the owner or owners of record, for  
23 paying real property taxes on the property, and (iv) who is an  
24 owner of record of a legal or equitable interest in the  
25 cooperative apartment building, other than a leasehold  
26 interest. In the instance of a cooperative where a homestead



1 exemption has been granted under this Section, the cooperative  
2 association or its management firm shall credit the savings  
3 resulting from that exemption only to the apportioned tax  
4 liability of the owner who qualified for the exemption. Any  
5 person who willfully refuses to credit that savings to an  
6 owner who qualifies for the exemption is guilty of a Class B  
7 misdemeanor.

8 When a homestead exemption has been granted under this  
9 Section and an applicant then becomes a resident of a facility  
10 licensed under the Assisted Living and Shared Housing Act, the  
11 Nursing Home Care Act, the Specialized Mental Health  
12 Rehabilitation Act of 2013, the ID/DD Community Care Act, or  
13 the MC/DD Act, the exemption shall be granted in subsequent  
14 years so long as the residence (i) continues to be occupied by  
15 the qualified applicant's spouse or (ii) if remaining  
16 unoccupied, is still owned by the qualified applicant for the  
17 homestead exemption.

18 Beginning January 1, 1997, when an individual dies who  
19 would have qualified for an exemption under this Section, and  
20 the surviving spouse does not independently qualify for this  
21 exemption because of age, the exemption under this Section  
22 shall be granted to the surviving spouse for the taxable year  
23 preceding and the taxable year of the death, provided that,  
24 except for age, the surviving spouse meets all other  
25 qualifications for the granting of this exemption for those  
26 years.

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

4           For taxable year 1994 only, in counties having less than  
5 3,000,000 inhabitants, to receive the exemption, a person  
6 shall submit an application by February 15, 1995 to the Chief  
7 County Assessment Officer of the county in which the property  
8 is located. In counties having 3,000,000 or more inhabitants,  
9 for taxable year 1994 and all subsequent taxable years, to  
10 receive the exemption, a person may submit an application to  
11 the Chief County Assessment Officer of the county in which the  
12 property is located during such period as may be specified by  
13 the Chief County Assessment Officer. The Chief County  
14 Assessment Officer in counties of 3,000,000 or more  
15 inhabitants shall annually give notice of the application  
16 period by mail or by publication. In counties having less than  
17 3,000,000 inhabitants, beginning with taxable year 1995 and  
18 thereafter, to receive the exemption, a person shall submit an  
19 application by July 1 of each taxable year to the Chief County  
20 Assessment Officer of the county in which the property is  
21 located. A county may, by ordinance, establish a date for  
22 submission of applications that is different than July 1. The  
23 applicant shall submit with the application an affidavit of  
24 the applicant's total household income, age, marital status  
25 (and if married the name and address of the applicant's  
26 spouse, if known), and principal dwelling place of members of

1 the household on January 1 of the taxable year. The Department  
2 shall establish, by rule, a method for verifying the accuracy  
3 of affidavits filed by applicants under this Section, and the  
4 Chief County Assessment Officer may conduct audits of any  
5 taxpayer claiming an exemption under this Section to verify  
6 that the taxpayer is eligible to receive the exemption. Each  
7 application shall contain or be verified by a written  
8 declaration that it is made under the penalties of perjury. A  
9 taxpayer's signing a fraudulent application under this Act is  
10 perjury, as defined in Section 32-2 of the Criminal Code of  
11 2012. The applications shall be clearly marked as applications  
12 for the Senior Citizens Assessment Freeze Homestead Exemption  
13 and must contain a notice that any taxpayer who receives the  
14 exemption is subject to an audit by the Chief County  
15 Assessment Officer.

16 Notwithstanding any other provision to the contrary, in  
17 counties having fewer than 3,000,000 inhabitants, if an  
18 applicant fails to file the application required by this  
19 Section in a timely manner and this failure to file is due to a  
20 mental or physical condition sufficiently severe so as to  
21 render the applicant incapable of filing the application in a  
22 timely manner, the Chief County Assessment Officer may extend  
23 the filing deadline for a period of 30 days after the applicant  
24 regains the capability to file the application, but in no case  
25 may the filing deadline be extended beyond 3 months of the  
26 original filing deadline. In order to receive the extension

1 provided in this paragraph, the applicant shall provide the  
2 Chief County Assessment Officer with a signed statement from  
3 the applicant's physician, advanced practice registered nurse,  
4 or physician assistant stating the nature and extent of the  
5 condition, that, in the physician's, advanced practice  
6 registered nurse's, or physician assistant's opinion, the  
7 condition was so severe that it rendered the applicant  
8 incapable of filing the application in a timely manner, and  
9 the date on which the applicant regained the capability to  
10 file the application.

11 Beginning January 1, 1998, notwithstanding any other  
12 provision to the contrary, in counties having fewer than  
13 3,000,000 inhabitants, if an applicant fails to file the  
14 application required by this Section in a timely manner and  
15 this failure to file is due to a mental or physical condition  
16 sufficiently severe so as to render the applicant incapable of  
17 filing the application in a timely manner, the Chief County  
18 Assessment Officer may extend the filing deadline for a period  
19 of 3 months. In order to receive the extension provided in this  
20 paragraph, the applicant shall provide the Chief County  
21 Assessment Officer with a signed statement from the  
22 applicant's physician, advanced practice registered nurse, or  
23 physician assistant stating the nature and extent of the  
24 condition, and that, in the physician's, advanced practice  
25 registered nurse's, or physician assistant's opinion, the  
26 condition was so severe that it rendered the applicant

1 incapable of filing the application in a timely manner.

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

16 For purposes of this Section, a person who will be 65 years  
17 of age during the current taxable year shall be eligible to  
18 apply for the homestead exemption during that taxable year.  
19 Application shall be made during the application period in  
20 effect for the county of his or her residence.

21 The Chief County Assessment Officer may determine the  
22 eligibility of a life care facility that qualifies as a  
23 cooperative to receive the benefits provided by this Section  
24 by use of an affidavit, application, visual inspection,  
25 questionnaire, or other reasonable method in order to insure  
26 that the tax savings resulting from the exemption are credited

1 by the management firm to the apportioned tax liability of  
2 each qualifying resident. The Chief County Assessment Officer  
3 may request reasonable proof that the management firm has so  
4 credited that exemption.

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

16 Nothing contained in this Section shall prevent the  
17 Director or chief county assessment officer from publishing or  
18 making available reasonable statistics concerning the  
19 operation of the exemption contained in this Section in which  
20 the contents of claims are grouped into aggregates in such a  
21 way that information contained in any individual claim shall  
22 not be disclosed.

23 Notwithstanding any other provision of law, for taxable  
24 year 2017 and thereafter, in counties of 3,000,000 or more  
25 inhabitants, the amount of the exemption shall be the greater  
26 of (i) the amount of the exemption otherwise calculated under

1 this Section or (ii) \$2,000.

2 (c-5) Notwithstanding any other provision of law, each  
3 chief county assessment officer may approve this exemption for  
4 the 2020 taxable year, without application, for any property  
5 that was approved for this exemption for the 2019 taxable  
6 year, provided that:

7 (1) the county board has declared a local disaster as  
8 provided in the Illinois Emergency Management Agency Act  
9 related to the COVID-19 public health emergency;

10 (2) the owner of record of the property as of January  
11 1, 2020 is the same as the owner of record of the property  
12 as of January 1, 2019;

13 (3) the exemption for the 2019 taxable year has not  
14 been determined to be an erroneous exemption as defined by  
15 this Code; and

16 (4) the applicant for the 2019 taxable year has not  
17 asked for the exemption to be removed for the 2019 or 2020  
18 taxable years.

19 Nothing in this subsection shall preclude or impair the  
20 authority of a chief county assessment officer to conduct  
21 audits of any taxpayer claiming an exemption under this  
22 Section to verify that the taxpayer is eligible to receive the  
23 exemption as provided elsewhere in this Section.

24 (d) Each Chief County Assessment Officer shall annually  
25 publish a notice of availability of the exemption provided  
26 under this Section. The notice shall be published at least 60

1 days but no more than 75 days prior to the date on which the  
2 application must be submitted to the Chief County Assessment  
3 Officer of the county in which the property is located. The  
4 notice shall appear in a newspaper of general circulation in  
5 the county.

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

9 (Source: P.A. 100-401, eff. 8-25-17; 100-513, eff. 1-1-18;  
10 100-863, eff. 8-14-18; 101-635, eff. 6-5-20.)

11 (35 ILCS 200/15-175)

12 Sec. 15-175. General homestead exemption.

13 (a) Except as provided in Sections 15-176 and 15-177,  
14 homestead property is entitled to an annual homestead  
15 exemption limited, except as described here with relation to  
16 cooperatives or life care facilities, to a reduction in the  
17 equalized assessed value of homestead property equal to the  
18 increase in equalized assessed value for the current  
19 assessment year above the equalized assessed value of the  
20 property for 1977, up to the maximum reduction set forth  
21 below. If however, the 1977 equalized assessed value upon  
22 which taxes were paid is subsequently determined by local  
23 assessing officials, the Property Tax Appeal Board, or a court  
24 to have been excessive, the equalized assessed value which  
25 should have been placed on the property for 1977 shall be used



1 to determine the amount of the exemption.

2 (b) Except as provided in Section 15-176, the maximum  
3 reduction before taxable year 2004 shall be \$4,500 in counties  
4 with 3,000,000 or more inhabitants and \$3,500 in all other  
5 counties. Except as provided in Sections 15-176 and 15-177,  
6 for taxable years 2004 through 2007, the maximum reduction  
7 shall be \$5,000, for taxable year 2008, the maximum reduction  
8 is \$5,500, and, for taxable years 2009 through 2011, the  
9 maximum reduction is \$6,000 in all counties. For taxable years  
10 2012 through 2016, the maximum reduction is \$7,000 in counties  
11 with 3,000,000 or more inhabitants and \$6,000 in all other  
12 counties. For taxable years 2017 and thereafter, the maximum  
13 reduction is \$10,000 in counties with 3,000,000 or more  
14 inhabitants and \$6,000 in all other counties. If a county has  
15 elected to subject itself to the provisions of Section 15-176  
16 as provided in subsection (k) of that Section, then, for the  
17 first taxable year only after the provisions of Section 15-176  
18 no longer apply, for owners who, for the taxable year, have not  
19 been granted a senior citizens assessment freeze homestead  
20 exemption under Section 15-172 or a long-time occupant  
21 homestead exemption under Section 15-177, there shall be an  
22 additional exemption of \$5,000 for owners with a household  
23 income of \$30,000 or less.

24 (c) In counties with fewer than 3,000,000 inhabitants, if,  
25 based on the most recent assessment, the equalized assessed  
26 value of the homestead property for the current assessment

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

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

19 (d-1) In counties with 3,000,000 or more inhabitants,  
20 where the chief county assessment officer provides a notice of  
21 discovery, if a property is not occupied by its owner as a  
22 principal residence as of January 1 of the current tax year,  
23 then the property owner shall notify the chief county  
24 assessment officer of that fact on a form prescribed by the  
25 chief county assessment officer. That notice must be received  
26 by the chief county assessment officer on or before March 1 of

1 the collection year. If mailed, the form shall be sent by  
2 certified mail, return receipt requested. If the form is  
3 provided in person, the chief county assessment officer shall  
4 provide a date stamped copy of the notice. Failure to provide  
5 timely notice pursuant to this subsection (d-1) shall result  
6 in the exemption being treated as an erroneous exemption. Upon  
7 timely receipt of the notice for the current tax year, no  
8 exemption shall be applied to the property for the current tax  
9 year. If the exemption is not removed upon timely receipt of  
10 the notice by the chief assessment officer, then the error is  
11 considered granted as a result of a clerical error or omission  
12 on the part of the chief county assessment officer as  
13 described in subsection (h) of Section 9-275, and the property  
14 owner shall not be liable for the payment of interest and  
15 penalties due to the erroneous exemption for the current tax  
16 year for which the notice was filed after the date that notice  
17 was timely received pursuant to this subsection. Notice  
18 provided under this subsection shall not constitute a defense  
19 or amnesty for prior year erroneous exemptions.

20 For the purposes of this subsection (d-1):

21 "Collection year" means the year in which the first and  
22 second installment of the current tax year is billed.

23 "Current tax year" means the year prior to the collection  
24 year.

25 (e) The chief county assessment officer may, when  
26 considering whether to grant a leasehold exemption under this

1 Section, require the following conditions to be met:

2 (1) that a notarized application for the exemption,  
3 signed by both the owner and the lessee of the property,  
4 must be submitted each year during the application period  
5 in effect for the county in which the property is located;

6 (2) that a copy of the lease must be filed with the  
7 chief county assessment officer by the owner of the  
8 property at the time the notarized application is  
9 submitted;

10 (3) that the lease must expressly state that the  
11 lessee is liable for the payment of property taxes; and

12 (4) that the lease must include the following language  
13 in substantially the following form:

14 "Lessee shall be liable for the payment of real  
15 estate taxes with respect to the residence in  
16 accordance with the terms and conditions of Section  
17 15-175 of the Property Tax Code (35 ILCS 200/15-175).  
18 The permanent real estate index number for the  
19 premises is (insert number), and, according to the  
20 most recent property tax bill, the current amount of  
21 real estate taxes associated with the premises is  
22 (insert amount) per year. The parties agree that the  
23 monthly rent set forth above shall be increased or  
24 decreased pro rata (effective January 1 of each  
25 calendar year) to reflect any increase or decrease in  
26 real estate taxes. Lessee shall be deemed to be

1           satisfying Lessee's liability for the above mentioned  
2           real estate taxes with the monthly rent payments as  
3           set forth above (or increased or decreased as set  
4           forth herein).".

5           In addition, if there is a change in lessee, or if the  
6           lessee vacates the property, then the chief county assessment  
7           officer may require the owner of the property to notify the  
8           chief county assessment officer of that change.

9           This subsection (e) does not apply to leasehold interests  
10          in property owned by a municipality.

11          (f) "Homestead property" under this Section includes  
12          residential property that is occupied by its owner or owners  
13          as his or their principal dwelling place, or that is a  
14          leasehold interest on which a single family residence is  
15          situated, which is occupied as a residence by a person who has  
16          an ownership interest therein, legal or equitable or as a  
17          lessee, and on which the person is liable for the payment of  
18          property taxes. For land improved with an apartment building  
19          owned and operated as a cooperative, the maximum reduction  
20          from the equalized assessed value shall be limited to the  
21          increase in the value above the equalized assessed value of  
22          the property for 1977, up to the maximum reduction set forth  
23          above, multiplied by the number of apartments or units  
24          occupied by a person or persons who is liable, by contract with  
25          the owner or owners of record, for paying property taxes on the  
26          property and is an owner of record of a legal or equitable

1 interest in the cooperative apartment building, other than a  
2 leasehold interest. For land improved with a life care  
3 facility, the maximum reduction from the value of the  
4 property, as equalized by the Department, shall be multiplied  
5 by the number of apartments or units occupied by a person or  
6 persons, irrespective of any legal, equitable, or leasehold  
7 interest in the facility, who are liable, under a life care  
8 contract with the owner or owners of record of the facility,  
9 for paying property taxes on the property. For purposes of  
10 this Section, the term "life care facility" has the meaning  
11 stated in Section 15-170.

12 "Household", as used in this Section, means the owner, the  
13 spouse of the owner, and all persons using the residence of the  
14 owner as their principal place of residence.

15 "Household income", as used in this Section, means the  
16 combined income of the members of a household for the calendar  
17 year preceding the taxable year.

18 "Income", as used in this Section, has the same meaning as  
19 provided in Section 3.07 of the Senior Citizens and Persons  
20 with Disabilities Property Tax Relief and Pharmaceutical  
21 Assistance Act, except that "income" does not include  
22 veteran's benefits.

23 (g) In a cooperative or life care facility where a  
24 homestead exemption has been granted, the cooperative  
25 association or the management of the cooperative or life care  
26 facility shall credit the savings resulting from that

1 exemption only to the apportioned tax liability of the owner  
2 or resident who qualified for the exemption. Any person who  
3 willfully refuses to so credit the savings shall be guilty of a  
4 Class B misdemeanor.

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

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

1           (i-5) This subsection (i-5) applies to counties with  
2           3,000,000 or more inhabitants. In the event of a sale of  
3           homestead property, the homestead exemption shall remain in  
4           effect for the remainder of the assessment year of the sale.  
5           Upon receipt of a transfer declaration transmitted by the  
6           recorder pursuant to Section 31-30 of the Real Estate Transfer  
7           Tax Law for property receiving an exemption under this  
8           Section, the assessor shall mail a notice and forms to the new  
9           owner of the property providing information pertaining to the  
10          rules and applicable filing periods for applying or reapplying  
11          for homestead exemptions under this Code for which the  
12          property may be eligible. If the new owner fails to apply or  
13          reapply for a homestead exemption during the applicable filing  
14          period or the property no longer qualifies for an existing  
15          homestead exemption, the assessor shall cancel such exemption  
16          for any ensuing assessment year.

17          (j) In counties with fewer than 3,000,000 inhabitants, in  
18          the event of a sale of homestead property the homestead  
19          exemption shall remain in effect for the remainder of the  
20          assessment year of the sale. The assessor or chief county  
21          assessment officer may require the new owner of the property  
22          to apply for the homestead exemption for the following  
23          assessment year.

24          (k) Notwithstanding Sections 6 and 8 of the State Mandates  
25          Act, no reimbursement by the State is required for the  
26          implementation of any mandate created by this Section.



1           (1) The changes made to this Section by this amendatory  
2 Act of the 100th General Assembly are effective for the 2018  
3 tax year and thereafter.

4           (Source: P.A. 99-143, eff. 7-27-15; 99-164, eff. 7-28-15;  
5 99-642, eff. 7-28-16; 99-851, eff. 8-19-16; 100-401, eff.  
6 8-25-17; 100-1077, eff. 1-1-19.)

7           (35 ILCS 200/20-15)

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

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

21           (b) a separate statement for each of the taxing  
22 districts of the dollar amount of tax due which is  
23 allocable to a tax levied under the Illinois Pension Code  
24 or to any other tax levied by a municipality or township  
25 for public pension or retirement purposes,

1 (b-5) a list of each tax increment financing (TIF)  
2 district in which the property is located and the dollar  
3 amount of tax due that is allocable to the TIF district,

4 (c) the total tax rate,

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

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

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

12 In all counties the statement shall also provide:

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

15 (2) the assessment of the property,

16 (3) the statutory amount of each homestead exemption  
17 applied to the property,

18 (4) the assessed value of the property after  
19 application of all homestead exemptions,

20 (5) the equalization factors imposed by the county and  
21 by the Department, and

22 (6) the equalized assessment resulting from the  
23 application of the equalization factors to the basic  
24 assessment.

25 In all counties which do not classify property for  
26 purposes of taxation, for property on which a single family

1 residence is situated the statement shall also include a  
2 statement to reflect the fair cash value determined for the  
3 property. In all counties which classify property for purposes  
4 of taxation in accordance with Section 4 of Article IX of the  
5 Illinois Constitution, for parcels of residential property in  
6 the lowest assessment classification the statement shall also  
7 include a statement to reflect the fair cash value determined  
8 for the property.

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

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

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

1 the liability for the payment of any tax.

2 (Source: P.A. 100-621, eff. 7-20-18; 101-134, eff. 7-26-19.)

3 (35 ILCS 200/21-27)

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

5 (a) On the recommendation of the county treasurer, the  
6 county board may adopt a resolution under which an interest  
7 penalty for the delinquent payment of taxes for any year that  
8 otherwise would be imposed under Section 21-15, 21-20, or  
9 21-25 shall be waived in the case of any person who meets all  
10 of the following criteria:

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

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

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

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

25 (b) With respect to property that qualifies as a

1 brownfield site under Section 58.2 of the Environmental  
2 Protection Act, the county board, upon the recommendation of  
3 the county treasurer, may adopt a resolution to waive an  
4 interest penalty for the delinquent payment of taxes for any  
5 year that otherwise would be imposed under Section 21-15,  
6 21-20, or 21-25 if all of the following criteria are met:

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

11 (2) the property is part of a redevelopment plan of a  
12 unit of local government and that unit of local government  
13 does not oppose the waiver of the interest penalty;

14 (3) the redevelopment of the property will benefit the  
15 public interest by remediating the brownfield  
16 contamination;

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

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

26 (6) the county treasurer approves the request for a

1 waiver.

2 (c) For the 2019 taxable year (payable in 2020) only, the  
3 county board of a county with fewer than 3,000,000 inhabitants  
4 may adopt an ordinance or resolution under which some or all of  
5 the interest penalty for the delinquent payment of any  
6 installment other than the final installment of taxes for the  
7 2019 taxable year that otherwise would be imposed under  
8 Section 21-15, 21-20, or 21-25 shall be waived for all  
9 taxpayers in the county, for a period of (i) 120 days after the  
10 effective date of this amendatory Act of the 101st General  
11 Assembly or (ii) until the first day of the first month during  
12 which there is no longer a statewide COVID-19 public health  
13 emergency, as evidenced by an effective disaster declaration  
14 of the Governor covering all counties in the State.

15 (Source: P.A. 101-635, eff. 6-5-20.)

16 Section 30. The Mobile Home Local Services Tax Act is  
17 amended by changing Section 7 as follows:

18 (35 ILCS 515/7) (from Ch. 120, par. 1207)

19 Sec. 7. The local services tax for owners of mobile homes  
20 who (a) are actually residing in such mobile homes, (b) hold  
21 title to such mobile home as provided in the Illinois Vehicle  
22 Code, and (c) are 65 years of age or older or are persons with  
23 disabilities within the meaning of Section 3.14 of the Senior  
24 Citizens and Persons with Disabilities Property Tax Relief and

1 Pharmaceutical Assistance Act on the annual billing date shall  
2 be reduced to 80 percent of the tax provided for in Section 3  
3 of this Act. Proof that a claimant has been issued an Illinois  
4 Person with a Disability Identification Card stating that the  
5 claimant is under a Class 2 disability, as provided in Section  
6 4A of the Illinois Identification Card Act, shall constitute  
7 proof that the person thereon named is a person with a  
8 disability within the meaning of this Act. An application for  
9 reduction of the tax shall be filed with the county clerk by  
10 the individuals who are entitled to the reduction. If the  
11 application is filed after May 1, the reduction in tax shall  
12 begin with the next annual bill. Application for the reduction  
13 in tax shall be done by submitting proof that the applicant has  
14 been issued an Illinois Person with a Disability  
15 Identification Card designating the applicant's disability as  
16 a Class 2 disability, or by affidavit in substantially the  
17 following form:

18 APPLICATION FOR REDUCTION OF MOBILE HOME LOCAL SERVICES TAX

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

22 (1) Senior Citizens

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

24 (b) I hold title to the mobile home as provided in the  
25 Illinois Vehicle Code ....

26 (c) I reached the age of 65 on or before either January 1

1 (or July 1) of the year in which this statement is filed. My  
2 date of birth is: ...

3 (2) Persons with Disabilities

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

5 (b) I hold title to the mobile home as provided in the  
6 Illinois Vehicle Code ....

7 (c) I became a person with a total disability on ... and  
8 have remained a person with a disability until the date of this  
9 application. My Social Security, Veterans, Railroad or Civil  
10 Service Total Disability Claim Number is ... The undersigned  
11 declares under the penalty of perjury that the above  
12 statements are true and correct.

13 Dated (insert date).

14 .....

15 Signature of owner

16 .....

17 (Address)

18 .....

19 (City) (State) (Zip)

20 Approved by:

21 .....

22 (Assessor)

23 This application shall be accompanied by a copy of the  
24 applicant's most recent application filed with the Illinois  
25 Department on Aging under the Senior Citizens and Persons with



1 Disabilities Property Tax Relief and Pharmaceutical Assistance  
2 Act.

3 (Source: P.A. 98-463, eff. 8-16-13; 99-143, eff. 7-27-15.)

4 Section 35. The Metropolitan Transit Authority Act is  
5 amended by changing Sections 51 and 52 as follows:

6 (70 ILCS 3605/51)

7 Sec. 51. 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 Board shall be provided without charge to all senior  
14 citizens of the Metropolitan Region (as such term is defined  
15 in 70 ILCS 3615/1.03) aged 65 and older, under such conditions  
16 as shall be prescribed by the Board.

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

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

9     (Source: P.A. 99-143, eff. 7-27-15.)

10           (70 ILCS 3605/52)

11           Sec. 52. Transit services for individuals with  
12     disabilities. Notwithstanding any law to the contrary, no  
13     later than 60 days following the effective date of this  
14     amendatory Act of the 95th General Assembly, all fixed route  
15     public transportation services provided by, or under grant or  
16     purchase of service contract of, the Board shall be provided  
17     without charge to all persons with disabilities who meet the  
18     income eligibility limitation set forth in subsection (a-5) of  
19     Section 4 of the Senior Citizens and Persons with Disabilities  
20     Property Tax Relief and Pharmaceutical Assistance Act, under  
21     such procedures as shall be prescribed by the Board. The  
22     Department on Aging shall furnish all information reasonably  
23     necessary to determine eligibility, including updated lists of  
24     individuals who are eligible for services without charge under  
25     this Section.

1 (Source: P.A. 99-143, eff. 7-27-15.)

2 Section 40. The Local Mass Transit District Act is amended  
3 by changing Sections 8.6 and 8.7 as follows:

4 (70 ILCS 3610/8.6)

5 Sec. 8.6. Free services; eligibility.

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

14 (b) Notwithstanding any law to the contrary, no later than  
15 180 days following the effective date of this amendatory Act  
16 of the 96th General Assembly, any fixed route public  
17 transportation services provided by, or under grant or  
18 purchase of service contracts of, every District shall be  
19 provided without charge to senior citizens aged 65 and older  
20 who meet the income eligibility limitation set forth in  
21 subsection (a-5) of Section 4 of the Senior Citizens and  
22 Persons with Disabilities Property Tax Relief and  
23 Pharmaceutical Assistance Act, under such conditions as shall  
24 be prescribed by the District. The Department on Aging shall

1 furnish all information reasonably necessary to determine  
2 eligibility, including updated lists of individuals who are  
3 eligible for services without charge under this Section.  
4 Nothing in this Section shall relieve the District from  
5 providing reduced fares as may be required by federal law.

6 (Source: P.A. 99-143, eff. 7-27-15.)

7 (70 ILCS 3610/8.7)

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

23 (Source: P.A. 99-143, eff. 7-27-15.)

24 Section 45. The Regional Transportation Authority Act is

1 amended by changing Sections 3A.15, 3A.16, 3B.14, and 3B.15 as  
2 follows:

3 (70 ILCS 3615/3A.15)

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

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

14 (b) Notwithstanding any law to the contrary, no later than  
15 180 days following the effective date of this amendatory Act  
16 of the 96th General Assembly, any fixed route public  
17 transportation services provided by, or under grant or  
18 purchase of service contracts of, the Suburban Bus Board shall  
19 be provided without charge to senior citizens aged 65 and  
20 older who meet the income eligibility limitation set forth in  
21 subsection (a-5) of Section 4 of the Senior Citizens and  
22 Persons with Disabilities Property Tax Relief and  
23 Pharmaceutical Assistance Act, under such conditions as shall  
24 be prescribed by the Suburban Bus Board. The Department on  
25 Aging shall furnish all information reasonably necessary to

1 determine eligibility, including updated lists of individuals  
2 who are eligible for services without charge under this  
3 Section. Nothing in this Section shall relieve the Suburban  
4 Bus Board from providing reduced fares as may be required by  
5 federal law.

6 (Source: P.A. 99-143, eff. 7-27-15.)

7 (70 ILCS 3615/3A.16)

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

23 (Source: P.A. 99-143, eff. 7-27-15.)

24 (70 ILCS 3615/3B.14)

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

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

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

1 federal law.

2 (Source: P.A. 99-143, eff. 7-27-15.)

3 (70 ILCS 3615/3B.15)

4 Sec. 3B.15. Transit services for individuals with  
5 disabilities. Notwithstanding any law to the contrary, no  
6 later than 60 days following the effective date of this  
7 amendatory Act of the 95th General Assembly, all fixed route  
8 public transportation services provided by, or under grant or  
9 purchase of service contract of, the Commuter Rail Board shall  
10 be provided without charge to all persons with disabilities  
11 who meet the income eligibility limitation set forth in  
12 subsection (a-5) of Section 4 of the Senior Citizens and  
13 Persons with Disabilities 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. 99-143, eff. 7-27-15.)

20 Section 50. 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  
12 amount provided in Section 4 of the "Senior Citizens and  
13 Persons with Disabilities Property Tax Relief and  
14 Pharmaceutical Assistance Act", approved July 17, 1972, as  
15 amended.

16 (Source: P.A. 99-143, eff. 7-27-15.)

17 Section 55. The Citizens Utility Board Act is amended by  
18 changing Section 9 as follows:

19 (220 ILCS 10/9) (from Ch. 111 2/3, par. 909)

20 Sec. 9. Mailing procedure.

21 (1) As used in this Section:

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

1           (b) "Mailing" means any communication by a State  
2 agency, other than a mailing made under the Senior  
3 Citizens and Persons with Disabilities Property Tax Relief  
4 and Pharmaceutical Assistance Act, that is sent through  
5 the United States Postal Service to more than 50,000  
6 persons within a 12-month period.

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

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

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

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

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

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

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

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

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

25          (Source: P.A. 99-143, eff. 7-27-15.)

1 Section 60. The Illinois Public Aid Code is amended by  
2 changing Sections 3-5, 4-1.6, 4-2, 5-2, 5-4, 6-1.2, 6-2, and  
3 12-9 as follows:

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

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

1 expiration of the period of eligibility for refugees and  
2 asylees pursuant to 8 U.S.C. 1612(a)(2) shall equal 90% of the  
3 current maximum SSI payment amount per month.

4 (Source: P.A. 97-689, eff. 6-14-12; 98-674, eff. 6-30-14.)

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

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

20 In considering income to be taken into account,  
21 consideration shall be given to any expenses reasonably  
22 attributable to the earning of such income. Three-fourths of  
23 the earned income of a household eligible for aid under this  
24 Article shall be disregarded when determining the level of  
25 assistance for which a household is eligible. The first \$100

1 of child support collected on behalf of a family in a month for  
2 one child and the first \$200 of child support collected on  
3 behalf of a family in a month for 2 or more children shall be  
4 passed through to the family and disregarded in determining  
5 the amount of the assistance grant provided to the family  
6 under this Article. Any amount of child support that would be  
7 disregarded in determining the amount of the assistance grant  
8 shall be disregarded in determining eligibility for cash  
9 assistance provided under this Article. The Illinois  
10 Department may also permit all or any portion of earned or  
11 other income to be set aside for the future identifiable needs  
12 of a child. The Illinois Department may provide by rule and  
13 regulation for the exemptions thus permitted or required. The  
14 eligibility of any applicant for or recipient of public aid  
15 under this Article is not affected by the payment of any grant  
16 under the Senior Citizens and Persons with Disabilities  
17 Property Tax Relief and Pharmaceutical Assistance Act or any  
18 distributions or items of income described under subparagraph  
19 (X) of paragraph (2) of subsection (a) of Section 203 of the  
20 Illinois Income Tax Act.

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

25 (Source: P.A. 98-114, eff. 7-29-13; 99-143, eff. 7-27-15;  
26 99-899, eff. 1-1-17.)

1 (305 ILCS 5/4-2) (from Ch. 23, par. 4-2)

2 Sec. 4-2. Amount of aid.

3 (a) The amount and nature of financial aid shall be  
4 determined in accordance with the grant amounts, rules and  
5 regulations of the Illinois Department. Due regard shall be  
6 given to the self-sufficiency requirements of the family and  
7 to the income, money contributions and other support and  
8 resources available, from whatever source. However, the amount  
9 and nature of any financial aid is not affected by the payment  
10 of any grant under the "Senior Citizens and Persons with  
11 Disabilities Property Tax Relief and Pharmaceutical Assistance  
12 Act" or any distributions or items of income described under  
13 subparagraph (X) of paragraph (2) of subsection (a) of Section  
14 203 of the Illinois Income Tax Act. The aid shall be  
15 sufficient, when added to all other income, money  
16 contributions and support to provide the family with a grant  
17 in the amount established by Department regulation.

18 (a-5) For the purposes of this subsection, TANF grant  
19 amounts shall consist of the following portions:

20 (1) 75% shall be designated for the child or children  
21 of the assistance unit; and

22 (2) 25% shall be designated for the adult member or  
23 members of the assistance unit.

24 (b) The Illinois Department may conduct special projects,  
25 which may be known as Grant Diversion Projects, under which

1 recipients of financial aid under this Article are placed in  
2 jobs and their grants are diverted to the employer who in turn  
3 makes payments to the recipients in the form of salary or other  
4 employment benefits. The Illinois Department shall by rule  
5 specify the terms and conditions of such Grant Diversion  
6 Projects. Such projects shall take into consideration and be  
7 coordinated with the programs administered under the Illinois  
8 Emergency Employment Development Act.

9 (c) The amount and nature of the financial aid for a child  
10 requiring care outside his own home shall be determined in  
11 accordance with the rules and regulations of the Illinois  
12 Department, with due regard to the needs and requirements of  
13 the child in the foster home or institution in which he has  
14 been placed.

15 (d) If the Department establishes grants for family units  
16 consisting exclusively of a pregnant woman with no dependent  
17 child or including her husband if living with her, the grant  
18 amount for such a unit shall be equal to the grant amount for  
19 an assistance unit consisting of one adult, or 2 persons if the  
20 husband is included. Other than as herein described, an unborn  
21 child shall not be counted in determining the size of an  
22 assistance unit or for calculating grants.

23 Payments for basic maintenance requirements of a child or  
24 children and the relative with whom the child or children are  
25 living shall be prescribed, by rule, by the Illinois  
26 Department.



1 Grants under this Article shall not be supplemented by  
2 General Assistance provided under Article VI.

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

8 (f) Subject to subsection (f-5), an assistance unit,  
9 receiving financial aid under this Article or temporarily  
10 ineligible to receive aid under this Article under a penalty  
11 imposed by the Illinois Department for failure to comply with  
12 the eligibility requirements or that voluntarily requests  
13 termination of financial assistance under this Article and  
14 becomes subsequently eligible for assistance within 9 months,  
15 shall not receive any increase in the amount of aid solely on  
16 account of the birth of a child; except that an increase is not  
17 prohibited when the birth is (i) of a child of a pregnant woman  
18 who became eligible for aid under this Article during the  
19 pregnancy, or (ii) of a child born within 10 months after the  
20 date of implementation of this subsection, or (iii) of a child  
21 conceived after a family became ineligible for assistance due  
22 to income or marriage and at least 3 months of ineligibility  
23 expired before any reapplication for assistance. This  
24 subsection does not, however, prevent a unit from receiving a  
25 general increase in the amount of aid that is provided to all  
26 recipients of aid under this Article.

1           The Illinois Department is authorized to transfer funds,  
2 and shall use any budgetary savings attributable to not  
3 increasing the grants due to the births of additional  
4 children, to supplement existing funding for employment and  
5 training services for recipients of aid under this Article IV.  
6 The Illinois Department shall target, to the extent the  
7 supplemental funding allows, employment and training services  
8 to the families who do not receive a grant increase after the  
9 birth of a child. In addition, the Illinois Department shall  
10 provide, to the extent the supplemental funding allows, such  
11 families with up to 24 months of transitional child care  
12 pursuant to Illinois Department rules. All remaining  
13 supplemental funds shall be used for employment and training  
14 services or transitional child care support.

15           In making the transfers authorized by this subsection, the  
16 Illinois Department shall first determine, pursuant to  
17 regulations adopted by the Illinois Department for this  
18 purpose, the amount of savings attributable to not increasing  
19 the grants due to the births of additional children. Transfers  
20 may be made from General Revenue Fund appropriations for  
21 distributive purposes authorized by Article IV of this Code  
22 only to General Revenue Fund appropriations for employability  
23 development services including operating and administrative  
24 costs and related distributive purposes under Article IXA of  
25 this Code. The Director, with the approval of the Governor,  
26 shall certify the amount and affected line item appropriations

1 to the State Comptroller.

2 Nothing in this subsection shall be construed to prohibit  
3 the Illinois Department from using funds under this Article IV  
4 to provide assistance in the form of vouchers that may be used  
5 to pay for goods and services deemed by the Illinois  
6 Department, by rule, as suitable for the care of the child such  
7 as diapers, clothing, school supplies, and cribs.

8 (f-5) Subsection (f) shall not apply to affect the monthly  
9 assistance amount of any family as a result of the birth of a  
10 child on or after January 1, 2004. As resources permit after  
11 January 1, 2004, the Department may cease applying subsection  
12 (f) to limit assistance to families receiving assistance under  
13 this Article on January 1, 2004, with respect to children born  
14 prior to that date. In any event, subsection (f) shall be  
15 completely inoperative on and after July 1, 2007.

16 (g) (Blank).

17 (h) Notwithstanding any other provision of this Code, the  
18 Illinois Department is authorized to reduce payment levels  
19 used to determine cash grants under this Article after  
20 December 31 of any fiscal year if the Illinois Department  
21 determines that the caseload upon which the appropriations for  
22 the current fiscal year are based have increased by more than  
23 5% and the appropriation is not sufficient to ensure that cash  
24 benefits under this Article do not exceed the amounts  
25 appropriated for those cash benefits. Reductions in payment  
26 levels may be accomplished by emergency rule under Section

1 5-45 of the Illinois Administrative Procedure Act, except that  
2 the limitation on the number of emergency rules that may be  
3 adopted in a 24-month period shall not apply and the  
4 provisions of Sections 5-115 and 5-125 of the Illinois  
5 Administrative Procedure Act shall not apply. Increases in  
6 payment levels shall be accomplished only in accordance with  
7 Section 5-40 of the Illinois Administrative Procedure Act.  
8 Before any rule to increase payment levels promulgated under  
9 this Section shall become effective, a joint resolution  
10 approving the rule must be adopted by a roll call vote by a  
11 majority of the members elected to each chamber of the General  
12 Assembly.

13 (Source: P.A. 101-103, eff. 7-19-19.)

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

15 Sec. 5-2. Classes of persons eligible. Medical assistance  
16 under this Article shall be available to any of the following  
17 classes of persons in respect to whom a plan for coverage has  
18 been submitted to the Governor by the Illinois Department and  
19 approved by him. If changes made in this Section 5-2 require  
20 federal approval, they shall not take effect until such  
21 approval has been received:

22 1. Recipients of basic maintenance grants under  
23 Articles III and IV.

24 2. Beginning January 1, 2014, persons otherwise  
25 eligible for basic maintenance under Article III,

1 excluding any eligibility requirements that are  
2 inconsistent with any federal law or federal regulation,  
3 as interpreted by the U.S. Department of Health and Human  
4 Services, but who fail to qualify thereunder on the basis  
5 of need, and who have insufficient income and resources to  
6 meet the costs of necessary medical care, including, but  
7 not limited to, the following:

8 (a) All persons otherwise eligible for basic  
9 maintenance under Article III but who fail to qualify  
10 under that Article on the basis of need and who meet  
11 either of the following requirements:

12 (i) their income, as determined by the  
13 Illinois Department in accordance with any federal  
14 requirements, is equal to or less than 100% of the  
15 federal poverty level; or

16 (ii) their income, after the deduction of  
17 costs incurred for medical care and for other  
18 types of remedial care, is equal to or less than  
19 100% of the federal poverty level.

20 (b) (Blank).

21 3. (Blank).

22 4. Persons not eligible under any of the preceding  
23 paragraphs who fall sick, are injured, or die, not having  
24 sufficient money, property or other resources to meet the  
25 costs of necessary medical care or funeral and burial  
26 expenses.

1           5.(a) Beginning January 1, 2020, women during  
2 pregnancy and during the 12-month period beginning on the  
3 last day of the pregnancy, together with their infants,  
4 whose income is at or below 200% of the federal poverty  
5 level. Until September 30, 2019, or sooner if the  
6 maintenance of effort requirements under the Patient  
7 Protection and Affordable Care Act are eliminated or may  
8 be waived before then, women during pregnancy and during  
9 the 12-month period beginning on the last day of the  
10 pregnancy, whose countable monthly income, after the  
11 deduction of costs incurred for medical care and for other  
12 types of remedial care as specified in administrative  
13 rule, is equal to or less than the Medical Assistance-No  
14 Grant(C) (MANG(C)) Income Standard in effect on April 1,  
15 2013 as set forth in administrative rule.

16           (b) The plan for coverage shall provide ambulatory  
17 prenatal care to pregnant women during a presumptive  
18 eligibility period and establish an income eligibility  
19 standard that is equal to 200% of the federal poverty  
20 level, provided that costs incurred for medical care are  
21 not taken into account in determining such income  
22 eligibility.

23           (c) The Illinois Department may conduct a  
24 demonstration in at least one county that will provide  
25 medical assistance to pregnant women, together with their  
26 infants and children up to one year of age, where the

1 income eligibility standard is set up to 185% of the  
2 nonfarm income official poverty line, as defined by the  
3 federal Office of Management and Budget. The Illinois  
4 Department shall seek and obtain necessary authorization  
5 provided under federal law to implement such a  
6 demonstration. Such demonstration may establish resource  
7 standards that are not more restrictive than those  
8 established under Article IV of this Code.

9 6. (a) Children younger than age 19 when countable  
10 income is at or below 133% of the federal poverty level.  
11 Until September 30, 2019, or sooner if the maintenance of  
12 effort requirements under the Patient Protection and  
13 Affordable Care Act are eliminated or may be waived before  
14 then, children younger than age 19 whose countable monthly  
15 income, after the deduction of costs incurred for medical  
16 care and for other types of remedial care as specified in  
17 administrative rule, is equal to or less than the Medical  
18 Assistance-No Grant(C) (MANG(C)) Income Standard in effect  
19 on April 1, 2013 as set forth in administrative rule.

20 (b) Children and youth who are under temporary custody  
21 or guardianship of the Department of Children and Family  
22 Services or who receive financial assistance in support of  
23 an adoption or guardianship placement from the Department  
24 of Children and Family Services.

25 7. (Blank).

26 8. As required under federal law, persons who are

1 eligible for Transitional Medical Assistance as a result  
2 of an increase in earnings or child or spousal support  
3 received. The plan for coverage for this class of persons  
4 shall:

5 (a) extend the medical assistance coverage to the  
6 extent required by federal law; and

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

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

13 (ii) such coverage shall include all services  
14 covered under Illinois' State Medicaid Plan;

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

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

24 9. Persons with acquired immunodeficiency syndrome  
25 (AIDS) or with AIDS-related conditions with respect to  
26 whom there has been a determination that but for home or



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

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

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

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

25 (b) exempt retirement accounts that the person  
26 cannot access without penalty before the age of 59

1           1/2, and medical savings accounts established pursuant  
2           to 26 U.S.C. 220;

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

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

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

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

24               (2) persons whose screenings under the above  
25               program were funded in whole or in part by funds  
26               appropriated to the Illinois Department of Public

1 Health for breast or cervical cancer screening.

2 "Medical assistance" under this paragraph 12 shall be  
3 identical to the benefits provided under the State's  
4 approved plan under Title XIX of the Social Security Act.  
5 The Department must request federal approval of the  
6 coverage under this paragraph 12 within 30 days after July  
7 3, 2001 (the effective date of Public Act 92-47) ~~this~~  
8 ~~amendatory Act of the 92nd General Assembly.~~

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

1 approval.

2 13. Subject to appropriation and to federal approval,  
3 persons living with HIV/AIDS who are not otherwise  
4 eligible under this Article and who qualify for services  
5 covered under Section 5-5.04 as provided by the Illinois  
6 Department by rule.

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

1 a final decision is rendered on the appeal. The Department  
2 may adopt rules governing the implementation of this  
3 paragraph 14.

4 15. Family Care Eligibility.

5 (a) On and after July 1, 2012, a parent or other  
6 caretaker relative who is 19 years of age or older when  
7 countable income is at or below 133% of the federal  
8 poverty level. A person may not spend down to become  
9 eligible under this paragraph 15.

10 (b) Eligibility shall be reviewed annually.

11 (c) (Blank).

12 (d) (Blank).

13 (e) (Blank).

14 (f) (Blank).

15 (g) (Blank).

16 (h) (Blank).

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

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

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

1 paragraph 16 and (ii) does not have a lien against any  
2 homestead property or other legal or equitable real  
3 property interest owned by a recipient of services under  
4 this paragraph 16.

5 17. Persons who, pursuant to a waiver approved by the  
6 Secretary of the U.S. Department of Health and Human  
7 Services, are eligible for medical assistance under Title  
8 XIX or XXI of the federal Social Security Act.  
9 Notwithstanding any other provision of this Code and  
10 consistent with the terms of the approved waiver, the  
11 Illinois Department, may by rule:

12 (a) Limit the geographic areas in which the waiver  
13 program operates.

14 (b) Determine the scope, quantity, duration, and  
15 quality, and the rate and method of reimbursement, of  
16 the medical services to be provided, which may differ  
17 from those for other classes of persons eligible for  
18 assistance under this Article.

19 (c) Restrict the persons' freedom in choice of  
20 providers.

21 18. Beginning January 1, 2014, persons aged 19 or  
22 older, but younger than 65, who are not otherwise eligible  
23 for medical assistance under this Section 5-2, who qualify  
24 for medical assistance pursuant to 42 U.S.C.  
25 1396a(a)(10)(A)(i)(VIII) and applicable federal  
26 regulations, and who have income at or below 133% of the

1 federal poverty level plus 5% for the applicable family  
2 size as determined pursuant to 42 U.S.C. 1396a(e)(14) and  
3 applicable federal regulations. Persons eligible for  
4 medical assistance under this paragraph 18 shall receive  
5 coverage for the Health Benefits Service Package as that  
6 term is defined in subsection (m) of Section 5-1.1 of this  
7 Code. If Illinois' federal medical assistance percentage  
8 (FMAP) is reduced below 90% for persons eligible for  
9 medical assistance under this paragraph 18, eligibility  
10 under this paragraph 18 shall cease no later than the end  
11 of the third month following the month in which the  
12 reduction in FMAP takes effect.

13 19. Beginning January 1, 2014, as required under 42  
14 U.S.C. 1396a(a)(10)(A)(i)(IX), persons older than age 18  
15 and younger than age 26 who are not otherwise eligible for  
16 medical assistance under paragraphs (1) through (17) of  
17 this Section who (i) were in foster care under the  
18 responsibility of the State on the date of attaining age  
19 18 or on the date of attaining age 21 when a court has  
20 continued wardship for good cause as provided in Section  
21 2-31 of the Juvenile Court Act of 1987 and (ii) received  
22 medical assistance under the Illinois Title XIX State Plan  
23 or waiver of such plan while in foster care.

24 20. Beginning January 1, 2018, persons who are  
25 foreign-born victims of human trafficking, torture, or  
26 other serious crimes as defined in Section 2-19 of this



1 Code and their derivative family members if such persons:  
2 (i) reside in Illinois; (ii) are not eligible under any of  
3 the preceding paragraphs; (iii) meet the income guidelines  
4 of subparagraph (a) of paragraph 2; and (iv) meet the  
5 nonfinancial eligibility requirements of Sections 16-2,  
6 16-3, and 16-5 of this Code. The Department may extend  
7 medical assistance for persons who are foreign-born  
8 victims of human trafficking, torture, or other serious  
9 crimes whose medical assistance would be terminated  
10 pursuant to subsection (b) of Section 16-5 if the  
11 Department determines that the person, during the year of  
12 initial eligibility (1) experienced a health crisis, (2)  
13 has been unable, after reasonable attempts, to obtain  
14 necessary information from a third party, or (3) has other  
15 extenuating circumstances that prevented the person from  
16 completing his or her application for status. The  
17 Department may adopt any rules necessary to implement the  
18 provisions of this paragraph.

19 21. Persons who are not otherwise eligible for medical  
20 assistance under this Section who may qualify for medical  
21 assistance pursuant to 42 U.S.C.  
22 1396a(a)(10)(A)(ii)(XXIII) and 42 U.S.C. 1396(ss) for the  
23 duration of any federal or State declared emergency due to  
24 COVID-19. Medical assistance to persons eligible for  
25 medical assistance solely pursuant to this paragraph 21  
26 shall be limited to any in vitro diagnostic product (and

1 the administration of such product) described in 42 U.S.C.  
2 1396d(a)(3)(B) on or after March 18, 2020, any visit  
3 described in 42 U.S.C. 1396o(a)(2)(G), or any other  
4 medical assistance that may be federally authorized for  
5 this class of persons. The Department may also cover  
6 treatment of COVID-19 for this class of persons, or any  
7 similar category of uninsured individuals, to the extent  
8 authorized under a federally approved 1115 Waiver or other  
9 federal authority. Notwithstanding the provisions of  
10 Section 1-11 of this Code, due to the nature of the  
11 COVID-19 public health emergency, the Department may cover  
12 and provide the medical assistance described in this  
13 paragraph 21 to noncitizens who would otherwise meet the  
14 eligibility requirements for the class of persons  
15 described in this paragraph 21 for the duration of the  
16 State emergency period.

17 In implementing the provisions of Public Act 96-20, the  
18 Department is authorized to adopt only those rules necessary,  
19 including emergency rules. Nothing in Public Act 96-20 permits  
20 the Department to adopt rules or issue a decision that expands  
21 eligibility for the FamilyCare Program to a person whose  
22 income exceeds 185% of the Federal Poverty Level as determined  
23 from time to time by the U.S. Department of Health and Human  
24 Services, unless the Department is provided with express  
25 statutory authority.

26 The eligibility of any such person for medical assistance

1 under this Article is not affected by the payment of any grant  
2 under the Senior Citizens and Persons with Disabilities  
3 Property Tax Relief and Pharmaceutical Assistance Act or any  
4 distributions or items of income described under subparagraph  
5 (X) of paragraph (2) of subsection (a) of Section 203 of the  
6 Illinois Income Tax Act.

7 The Department shall by rule establish the amounts of  
8 assets to be disregarded in determining eligibility for  
9 medical assistance, which shall at a minimum equal the amounts  
10 to be disregarded under the Federal Supplemental Security  
11 Income Program. The amount of assets of a single person to be  
12 disregarded shall not be less than \$2,000, and the amount of  
13 assets of a married couple to be disregarded shall not be less  
14 than \$3,000.

15 To the extent permitted under federal law, any person  
16 found guilty of a second violation of Article VIII A shall be  
17 ineligible for medical assistance under this Article, as  
18 provided in Section 8A-8.

19 The eligibility of any person for medical assistance under  
20 this Article shall not be affected by the receipt by the person  
21 of donations or benefits from fundraisers held for the person  
22 in cases of serious illness, as long as neither the person nor  
23 members of the person's family have actual control over the  
24 donations or benefits or the disbursement of the donations or  
25 benefits.

26 Notwithstanding any other provision of this Code, if the

1 United States Supreme Court holds Title II, Subtitle A,  
2 Section 2001(a) of Public Law 111-148 to be unconstitutional,  
3 or if a holding of Public Law 111-148 makes Medicaid  
4 eligibility allowed under Section 2001(a) inoperable, the  
5 State or a unit of local government shall be prohibited from  
6 enrolling individuals in the Medical Assistance Program as the  
7 result of federal approval of a State Medicaid waiver on or  
8 after June 14, 2012 (the effective date of Public Act 97-687)  
9 ~~this amendatory Act of the 97th General Assembly~~, and any  
10 individuals enrolled in the Medical Assistance Program  
11 pursuant to eligibility permitted as a result of such a State  
12 Medicaid waiver shall become immediately ineligible.

13 Notwithstanding any other provision of this Code, if an  
14 Act of Congress that becomes a Public Law eliminates Section  
15 2001(a) of Public Law 111-148, the State or a unit of local  
16 government shall be prohibited from enrolling individuals in  
17 the Medical Assistance Program as the result of federal  
18 approval of a State Medicaid waiver on or after June 14, 2012  
19 (the effective date of Public Act 97-687) ~~this amendatory Act~~  
20 ~~of the 97th General Assembly~~, and any individuals enrolled in  
21 the Medical Assistance Program pursuant to eligibility  
22 permitted as a result of such a State Medicaid waiver shall  
23 become immediately ineligible.

24 Effective October 1, 2013, the determination of  
25 eligibility of persons who qualify under paragraphs 5, 6, 8,  
26 15, 17, and 18 of this Section shall comply with the

1 requirements of 42 U.S.C. 1396a(e)(14) and applicable federal  
2 regulations.

3 The Department of Healthcare and Family Services, the  
4 Department of Human Services, and the Illinois health  
5 insurance marketplace shall work cooperatively to assist  
6 persons who would otherwise lose health benefits as a result  
7 of changes made under Public Act 98-104 ~~this amendatory Act of~~  
8 ~~the 98th General Assembly~~ to transition to other health  
9 insurance coverage.

10 (Source: P.A. 101-10, eff. 6-5-19; 101-649, eff. 7-7-20;  
11 revised 8-24-20.)

12 (305 ILCS 5/5-4) (from Ch. 23, par. 5-4)

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

14 (a) The amount and nature of medical assistance shall be  
15 determined in accordance with the standards, rules, and  
16 regulations of the Department of Healthcare and Family  
17 Services, with due regard to the requirements and conditions  
18 in each case, including contributions available from legally  
19 responsible relatives. However, the amount and nature of such  
20 medical assistance shall not be affected by the payment of any  
21 grant under the Senior Citizens and Persons with Disabilities  
22 Property Tax Relief and Pharmaceutical Assistance Act or any  
23 distributions or items of income described under subparagraph  
24 (X) of paragraph (2) of subsection (a) of Section 203 of the  
25 Illinois Income Tax Act. The amount and nature of medical

1 assistance shall not be affected by the receipt of donations  
2 or benefits from fundraisers in cases of serious illness, as  
3 long as neither the person nor members of the person's family  
4 have actual control over the donations or benefits or the  
5 disbursement of the donations or benefits.

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

20 Subject to federal approval, the community spouse resource  
21 allowance shall be established and maintained at the higher of  
22 \$109,560 or the minimum level permitted pursuant to Section  
23 1924(f)(2) of the Social Security Act, as now or hereafter  
24 amended, or an amount set after a fair hearing, whichever is  
25 greater. The monthly maintenance allowance for the community  
26 spouse shall be established and maintained at the higher of

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

11 (b) Spousal support for institutionalized spouses  
12 receiving medical assistance.

13 (i) The Department may seek support for an  
14 institutionalized spouse, who has assigned his or her  
15 right of support from his or her spouse to the State, from  
16 the resources and income available to the community  
17 spouse.

18 (ii) The Department may bring an action in the circuit  
19 court to establish support orders or itself establish  
20 administrative support orders by any means and procedures  
21 authorized in this Code, as applicable, except that the  
22 standard and regulations for determining ability to  
23 support in Section 10-3 shall not limit the amount of  
24 support that may be ordered.

25 (iii) Proceedings may be initiated to obtain support,  
26 or for the recovery of aid granted during the period such

1 support was not provided, or both, for the obtainment of  
2 support and the recovery of the aid provided. Proceedings  
3 for the recovery of aid may be taken separately or they may  
4 be consolidated with actions to obtain support. Such  
5 proceedings may be brought in the name of the person or  
6 persons requiring support or may be brought in the name of  
7 the Department, as the case requires.

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

20 (Source: P.A. 98-104, eff. 7-22-13; 99-143, eff. 7-27-15.)

21 (305 ILCS 5/6-1.2) (from Ch. 23, par. 6-1.2)

22 Sec. 6-1.2. Need. Income available to the person, when  
23 added to contributions in money, substance, or services from  
24 other sources, including contributions from legally  
25 responsible relatives, must be insufficient to equal the grant



1 amount established by Department regulation (or by local  
2 governmental unit in units which do not receive State funds)  
3 for such a person.

4 In determining income to be taken into account:

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

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

18 "Earned income" means money earned in self-employment or  
19 wages, salary, or commission for personal services performed  
20 as an employee. The eligibility of any applicant for or  
21 recipient of public aid under this Article is not affected by  
22 the payment of any grant under the "Senior Citizens and  
23 Persons with Disabilities Property Tax Relief and  
24 Pharmaceutical Assistance Act", any refund or payment of the  
25 federal Earned Income Tax Credit, any rebate authorized under  
26 Section 2201(a) of the Coronavirus Aid, Relief, and Economic

1 Security Act (Public Law 116-136) or under any other federal  
2 economic stimulus program created in response to the COVID-19  
3 emergency, or any distributions or items of income described  
4 under subparagraph (X) of paragraph (2) of subsection (a) of  
5 Section 203 of the Illinois Income Tax Act.

6 (Source: P.A. 101-632, eff. 6-5-20.)

7 (305 ILCS 5/6-2) (from Ch. 23, par. 6-2)

8 Sec. 6-2. Amount of aid. The amount and nature of General  
9 Assistance for basic maintenance requirements shall be  
10 determined in accordance with local budget standards for local  
11 governmental units which do not receive State funds. For local  
12 governmental units which do receive State funds, the amount  
13 and nature of General Assistance for basic maintenance  
14 requirements shall be determined in accordance with the  
15 standards, rules and regulations of the Illinois Department.  
16 However, the amount and nature of any financial aid is not  
17 affected by the payment of any grant under the Senior Citizens  
18 and Persons with Disabilities Property Tax Relief and  
19 Pharmaceutical Assistance Act, any rebate authorized under  
20 Section 2201(a) of the Coronavirus Aid, Relief, and Economic  
21 Security Act (Public Law 116-136) or under any other federal  
22 economic stimulus program created in response to the COVID-19  
23 emergency, or any distributions or items of income described  
24 under subparagraph (X) of paragraph (2) of subsection (a) of  
25 Section 203 of the Illinois Income Tax Act. Due regard shall be

1 given to the requirements and the conditions existing in each  
2 case, and to the income, money contributions and other support  
3 and resources available, from whatever source. In local  
4 governmental units which do not receive State funds, the grant  
5 shall be sufficient when added to all other income, money  
6 contributions and support in excess of any excluded income or  
7 resources, to provide the person with a grant in the amount  
8 established for such a person by the local governmental unit  
9 based upon standards meeting basic maintenance requirements.  
10 In local governmental units which do receive State funds, the  
11 grant shall be sufficient when added to all other income,  
12 money contributions and support in excess of any excluded  
13 income or resources, to provide the person with a grant in the  
14 amount established for such a person by Department regulation  
15 based upon standards providing a livelihood compatible with  
16 health and well-being, as directed by Section 12-4.11 of this  
17 Code.

18 The Illinois Department may conduct special projects,  
19 which may be known as Grant Diversion Projects, under which  
20 recipients of financial aid under this Article are placed in  
21 jobs and their grants are diverted to the employer who in turn  
22 makes payments to the recipients in the form of salary or other  
23 employment benefits. The Illinois Department shall by rule  
24 specify the terms and conditions of such Grant Diversion  
25 Projects. Such projects shall take into consideration and be  
26 coordinated with the programs administered under the Illinois

1 Emergency Employment Development Act.

2 The allowances provided under Article IX for recipients  
3 participating in the training and rehabilitation programs  
4 shall be in addition to such maximum payment.

5 Payments may also be made to provide persons receiving  
6 basic maintenance support with necessary treatment, care and  
7 supplies required because of illness or disability or with  
8 acute medical treatment, care, and supplies. Payments for  
9 necessary or acute medical care under this paragraph may be  
10 made to or in behalf of the person. Obligations incurred for  
11 such services but not paid for at the time of a recipient's  
12 death may be paid, subject to the rules and regulations of the  
13 Illinois Department, after the death of the recipient.

14 (Source: P.A. 101-632, eff. 6-5-20.)

15 (305 ILCS 5/12-9) (from Ch. 23, par. 12-9)

16 Sec. 12-9. Public Aid Recoveries Trust Fund; uses. The  
17 Public Aid Recoveries Trust Fund shall consist of (1)  
18 recoveries by the Department of Healthcare and Family Services  
19 (formerly Illinois Department of Public Aid) authorized by  
20 this Code in respect to applicants or recipients under  
21 Articles III, IV, V, and VI, including recoveries made by the  
22 Department of Healthcare and Family Services (formerly  
23 Illinois Department of Public Aid) from the estates of  
24 deceased recipients, (2) recoveries made by the Department of  
25 Healthcare and Family Services (formerly Illinois Department

1 of Public Aid) in respect to applicants and recipients under  
2 the Children's Health Insurance Program Act, ~~and~~ the Covering  
3 ALL KIDS Health Insurance Act, and the Senior Citizens and  
4 Persons with Disabilities Property Tax Relief and  
5 Pharmaceutical Assistance Act, (2.5) recoveries made by the  
6 Department of Healthcare and Family Services in connection  
7 with the imposition of an administrative penalty as provided  
8 under Section 12-4.45, (3) federal funds received on behalf of  
9 and earned by State universities and local governmental  
10 entities for services provided to applicants or recipients  
11 covered under this Code, the Children's Health Insurance  
12 Program Act, ~~and~~ the Covering ALL KIDS Health Insurance Act, and  
13 the Senior Citizens and Persons with Disabilities Property  
14 Tax Relief and Pharmaceutical Assistance Act, (3.5) federal  
15 financial participation revenue related to eligible  
16 disbursements made by the Department of Healthcare and Family  
17 Services from appropriations required by this Section, and (4)  
18 all other moneys received to the Fund, including interest  
19 thereon. The Fund shall be held as a special fund in the State  
20 Treasury.

21 Disbursements from this Fund shall be only (1) for the  
22 reimbursement of claims collected by the Department of  
23 Healthcare and Family Services (formerly Illinois Department  
24 of Public Aid) through error or mistake, (2) for payment to  
25 persons or agencies designated as payees or co-payees on any  
26 instrument, whether or not negotiable, delivered to the

1 Department of Healthcare and Family Services (formerly  
2 Illinois Department of Public Aid) as a recovery under this  
3 Section, such payment to be in proportion to the respective  
4 interests of the payees in the amount so collected, (3) for  
5 payments to the Department of Human Services for collections  
6 made by the Department of Healthcare and Family Services  
7 (formerly Illinois Department of Public Aid) on behalf of the  
8 Department of Human Services under this Code, the Children's  
9 Health Insurance Program Act, and the Covering ALL KIDS Health  
10 Insurance Act, (4) for payment of administrative expenses  
11 incurred in performing the activities authorized under this  
12 Code, the Children's Health Insurance Program Act, ~~and~~ the  
13 Covering ALL KIDS Health Insurance Act, and the Senior  
14 Citizens and Persons with Disabilities Property Tax Relief and  
15 Pharmaceutical Assistance Act, (5) for payment of fees to  
16 persons or agencies in the performance of activities pursuant  
17 to the collection of monies owed the State that are collected  
18 under this Code, the Children's Health Insurance Program Act,  
19 ~~and~~ the Covering ALL KIDS Health Insurance Act, and the Senior  
20 Citizens and Persons with Disabilities Property Tax Relief and  
21 Pharmaceutical Assistance Act, (6) for payments of any amounts  
22 which are reimbursable to the federal government which are  
23 required to be paid by State warrant by either the State or  
24 federal government, and (7) for payments to State universities  
25 and local governmental entities of federal funds for services  
26 provided to applicants or recipients covered under this Code,

1 the Children's Health Insurance Program Act, ~~and~~ the Covering  
2 ALL KIDS Health Insurance Act, and the Senior Citizens and  
3 Persons with Disabilities Property Tax Relief and  
4 Pharmaceutical Assistance Act. Disbursements from this Fund  
5 for purposes of items (4) and (5) of this paragraph shall be  
6 subject to appropriations from the Fund to the Department of  
7 Healthcare and Family Services (formerly Illinois Department  
8 of Public Aid).

9 The balance in this Fund after payment therefrom of any  
10 amounts reimbursable to the federal government, and minus the  
11 amount reasonably anticipated to be needed to make the  
12 disbursements authorized by this Section during the current  
13 and following 3 calendar months, shall be certified by the  
14 Director of Healthcare and Family Services and transferred by  
15 the State Comptroller to the Drug Rebate Fund or the  
16 Healthcare Provider Relief Fund in the State Treasury, as  
17 appropriate, on at least an annual basis by June 30th of each  
18 fiscal year. The Director of Healthcare and Family Services  
19 may certify and the State Comptroller shall transfer to the  
20 Drug Rebate Fund or the Healthcare Provider Relief Fund  
21 amounts on a more frequent basis.

22 On July 1, 1999, the State Comptroller shall transfer the  
23 sum of \$5,000,000 from the Public Aid Recoveries Trust Fund  
24 (formerly the Public Assistance Recoveries Trust Fund) into  
25 the DHS Recoveries Trust Fund.

26 (Source: P.A. 97-647, eff. 1-1-12; 97-689, eff. 6-14-12;

1 98-130, eff. 8-2-13; 98-651, eff. 6-16-14.)

2 Section 65. The Senior Citizens and Disabled Persons  
3 Property Tax Relief Act is amended by changing the title of the  
4 Act and Sections 1, 1.5, 2, 3.05a, 3.10, 4, 4.05, 5, 6, 7, 8,  
5 9, 12, and 13 and by adding Section 4.2 as follows:

6 (320 ILCS 25/Act title)

7 An Act in relation to the payment of grants to enable the  
8 elderly and the disabled to acquire or retain private housing  
9 and to acquire prescription drugs.

10 (320 ILCS 25/1) (from Ch. 67 1/2, par. 401)

11 Sec. 1. Short title; common name. This Article shall be  
12 known and may be cited as the Senior Citizens and Persons with  
13 Disabilities Property Tax Relief and Pharmaceutical Assistance  
14 Act. Common references to the "Circuit Breaker Act" mean this  
15 Article. As used in this Article, "this Act" means this  
16 Article.

17 (Source: P.A. 99-143, eff. 7-27-15.)

18 (320 ILCS 25/1.5)

19 Sec. 1.5. Implementation of Executive Order No. 3 of 2004~~+~~  
20 ~~termination of the Illinois Senior Citizens and Disabled~~  
21 ~~Persons Pharmaceutical Assistance Program.~~ Executive Order No.  
22 3 of 2004, in part, provided for the transfer of the programs



1 under this Act from the Department of Revenue to the  
2 Department on Aging and the Department of Healthcare and  
3 Family Services. It is the purpose of this amendatory Act of  
4 the 96th General Assembly to conform this Act and certain  
5 related provisions of other statutes to that Executive Order.  
6 This amendatory Act of the 96th General Assembly also makes  
7 other substantive changes to this Act.

8 ~~It is the purpose of this amendatory Act of the 97th~~  
9 ~~General Assembly to terminate the Illinois Senior Citizens and~~  
10 ~~Disabled Persons Pharmaceutical Assistance Program on July 1,~~  
11 ~~2012.~~

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

13 (320 ILCS 25/2) (from Ch. 67 1/2, par. 402)

14 Sec. 2. Purpose. The purpose of this Act is to provide  
15 incentives to senior citizens and persons with disabilities in  
16 this State to acquire and retain private housing of their  
17 choice and at the same time to relieve those citizens from the  
18 burdens of extraordinary property taxes and rising drug costs  
19 against their increasingly restricted earning power, and  
20 thereby to reduce the requirements for public housing in this  
21 State.

22 (Source: P.A. 99-143, eff. 7-27-15.)

23 (320 ILCS 25/3.05a)

24 Sec. 3.05a. Additional resident. "Additional resident"

1 means a person who (i) is living in the same residence with a  
2 claimant for the claim year and at the time of filing the  
3 claim, (ii) is not the spouse of the claimant, (iii) does not  
4 file a separate claim under this Act for the same period, and  
5 (iv) receives more than half of his or her total financial  
6 support for that claim year from the household. ~~An~~ ~~Prior to~~  
7 ~~July 1, 2012,~~ ~~an~~ additional resident who meets qualifications  
8 may receive pharmaceutical assistance based on a claimant's  
9 application.

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

11 (320 ILCS 25/3.10) (from Ch. 67 1/2, par. 403.10)

12 Sec. 3.10. Regulations. "Regulations" includes both rules  
13 promulgated and forms prescribed by the applicable Department.  
14 In this Act, references to the rules of the Department on Aging  
15 or the Department of Healthcare and Family Services, ~~in effect~~  
16 ~~prior to July 1, 2012,~~ shall be deemed to include, in  
17 appropriate cases, the corresponding rules adopted by the  
18 Department of Revenue, to the extent that those rules continue  
19 in force under Executive Order No. 3 of 2004.

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

21 (320 ILCS 25/4) (from Ch. 67 1/2, par. 404)

22 Sec. 4. Amount of Grant.

23 (a) In general. Any individual 65 years or older or any  
24 individual who will become 65 years old during the calendar

1 year in which a claim is filed, and any surviving spouse of  
2 such a claimant, who at the time of death received or was  
3 entitled to receive a grant pursuant to this Section, which  
4 surviving spouse will become 65 years of age within the 24  
5 months immediately following the death of such claimant and  
6 which surviving spouse but for his or her age is otherwise  
7 qualified to receive a grant pursuant to this Section, and any  
8 person with a disability whose annual household income is less  
9 than the income eligibility limitation, as defined in  
10 subsection (a-5) and whose household is liable for payment of  
11 property taxes accrued or has paid rent constituting property  
12 taxes accrued and is domiciled in this State at the time he or  
13 she files his or her claim is entitled to claim a grant under  
14 this Act. With respect to claims filed by individuals who will  
15 become 65 years old during the calendar year in which a claim  
16 is filed, the amount of any grant to which that household is  
17 entitled shall be an amount equal to 1/12 of the amount to  
18 which the claimant would otherwise be entitled as provided in  
19 this Section, multiplied by the number of months in which the  
20 claimant was 65 in the calendar year in which the claim is  
21 filed.

22 (a-5) Income eligibility limitation. For purposes of this  
23 Section, "income eligibility limitation" means an amount for  
24 grant years 2008 through 2019:

- 25 (1) less than \$22,218 for a household containing one  
26 person;

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

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

5 For grant years 2020 and thereafter:

6           (1) less than \$33,562 for a household containing one  
7 person;

8           (2) less than \$44,533 for a household containing 2  
9 persons; or

10          (3) less than \$55,500 for a household containing 3 or  
11 more persons.

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

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

24 If a person files as a surviving spouse, then only his or  
25 her income shall be counted in determining his or her  
26 household income.

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

12           (c) Public aid recipients. If household income in one or  
13 more months during a year includes cash assistance in excess  
14 of \$55 per month from the Department of Healthcare and Family  
15 Services or the Department of Human Services (acting as  
16 successor to the Department of Public Aid under the Department  
17 of Human Services Act) which was determined under regulations  
18 of that Department on a measure of need that included an  
19 allowance for actual rent or property taxes paid by the  
20 recipient of that assistance, the amount of grant to which  
21 that household is entitled, except as otherwise provided in  
22 subsection (a), shall be the product of (1) the maximum amount  
23 computed as specified in subsection (b) of this Section and  
24 (2) the ratio of the number of months in which household income  
25 did not include such cash assistance over \$55 to the number  
26 twelve. If household income did not include such cash

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

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

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

23 (f) (Blank).

24 (g) Effective January 1, 2006, there is hereby established  
25 a program of pharmaceutical assistance to the aged and to  
26 persons with disabilities, entitled the Illinois Seniors and

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

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

19 (1) be (i) 65 years of age or older or (ii) a person  
20 with a disability; and

21 (2) be domiciled in this State; and

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

25 (4) for the 2006 and 2007 claim years, have a maximum  
26 household income of (i) less than \$21,218 for a household

1 containing one person, (ii) less than \$28,480 for a  
2 household containing 2 persons, or (iii) less than \$35,740  
3 for a household containing 3 or more persons; and

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

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

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

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



1 assistance program operated pursuant to subsection (f) of this  
2 Section as of December 31, 2005, shall not lose eligibility in  
3 future years due only to the fact that they have not reached  
4 the age of 65.

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

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

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

18 (i) a person with a disability and under age 65; or

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

21 (iii) age 65 or older, with incomes at or below  
22 200% of the Federal Poverty Level and not eligible for  
23 federally funded means-tested benefits due to  
24 immigration status.

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

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

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

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

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

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

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

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

1 paragraph. The specific drugs or therapeutic classes of  
2 covered prescription drugs shall be indicated by rule.

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

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

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

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

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

24 For a pharmacy to be reimbursed under the program  
25 established under this subsection, it must comply with rules  
26 adopted by the Department of Healthcare and Family Services

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

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

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

16 (Source: P.A. 101-10, eff. 6-5-19.)

17 (320 ILCS 25/4.05)

18 Sec. 4.05. Application.

19 (a) The Department on Aging shall establish the content,  
20 required eligibility and identification information, use of  
21 social security numbers, and manner of applying for benefits  
22 in a simplified format under this Act, including claims filed  
23 for new or renewed prescription drug benefits.

24 (b) An application may be filed on paper or over the  
25 Internet to enable persons to apply separately or for both a

1 property tax relief grant and pharmaceutical assistance on the  
2 same application. An application may also enable persons to  
3 apply for other State or federal programs that provide medical  
4 or pharmaceutical assistance or other benefits, as determined  
5 by the Department on Aging in conjunction with the Department  
6 of Healthcare and Family Services.

7 (c) Applications must be filed during the time period  
8 prescribed by the Department.

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

10 (320 ILCS 25/4.2 new)

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

1 provide information to the Department, or its designee, that  
2 is necessary to carry out the purposes of this Act, including,  
3 but not limited to, the name, social security number, address,  
4 date of birth, and coverage of their policyholders, their  
5 subscribers, or the beneficiaries of their plans, benefits, or  
6 services who participate in the programs under this Act. The  
7 provision of this information to the Department or its  
8 designee is subject to the confidentiality provisions in  
9 Section 8a of this Act.

10 (320 ILCS 25/5) (from Ch. 67 1/2, par. 405)

11 Sec. 5. Procedure.

12 (a) In general. Claims must be filed after January 1, on  
13 forms prescribed by the Department. No claim may be filed more  
14 than one year after December 31 of the year for which the claim  
15 is filed. The pharmaceutical assistance identification card  
16 provided for in subsection (f) of Section 4 shall be valid for  
17 a period determined by the Department of Healthcare and Family  
18 Services.

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,  
25 to his surviving dependent minor children in equal parts,

1 provided the spouse or child, as the case may be, resided with  
2 the 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  
7 household may file a claim under this Act in any calendar year;  
8 where both members of a household are otherwise entitled to  
9 claim a grant under this Act, they must agree as to which of  
10 them will 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  
5 require the claimant to furnish reasonable proof of the  
6 statements of domicile, household income, rent paid, property  
7 taxes accrued and other matters on which entitlement is based,  
8 and may withhold payment of a grant until such additional  
9 proof is 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  
19 the claimant has acquired title to his residence or has paid  
20 rent for his residence primarily for the purpose of receiving  
21 a grant under this Act.

22 (d) Pharmaceutical Assistance. The Department shall allow  
23 all pharmacies licensed under the Pharmacy Practice Act to  
24 participate as authorized pharmacies unless they have been  
25 removed from that status for cause pursuant to the terms of  
26 this Section. The Director of the Department may enter into a

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

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

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

25 (2) Establishment of maximum limits on the size of  
26 prescriptions, new or refilled, which shall be in amounts

1 sufficient for 34 days, except as otherwise specified by  
2 rule for medical or utilization control reasons;

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

8 (4) Charge or collection of payments from third  
9 parties or private plans of assistance, or from other  
10 programs of public assistance for any claim that is  
11 properly chargeable under the assignment of benefits  
12 executed by beneficiaries as a requirement of eligibility  
13 for the pharmaceutical assistance identification card  
14 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) Payment to pharmacies under this Act in accordance  
25 with the State Prompt Payment Act.

26 The Department shall annually report to the Governor and

1 the General Assembly by March 1st of each year on the  
2 administration of pharmaceutical assistance under this Act.

3 (Source: P.A. 96-328, eff. 8-11-09; 97-333, eff. 8-12-11;  
4 97-689, eff. 6-14-12.)

5 (320 ILCS 25/7) (from Ch. 67 1/2, par. 407)

6 Sec. 7. Payment and denial of claims.

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

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

16 (c) Right to appeal. Any person aggrieved by an action or  
17 determination of the Department on Aging arising under any of  
18 its powers or duties under this Act may request in writing that  
19 the Department on Aging reconsider its action or  
20 determination, setting out the facts upon which the request is  
21 based. The Department on Aging shall consider the request and  
22 either modify or affirm its prior action or determination. The  
23 Department on Aging may adopt, by rule, procedures for  
24 conducting its review under this Section.

25 Any person aggrieved by an action or determination of the

1 Department of Healthcare and Family Services arising under any  
2 of its powers or duties under this Act may request in writing  
3 that the Department of Healthcare and Family Services  
4 reconsider its action or determination, setting out the facts  
5 upon which the request is based. The Department of Healthcare  
6 and Family Services shall consider the request and either  
7 modify or affirm its prior action or determination. The  
8 Department of Healthcare and Family Services may adopt, by  
9 rule, procedures for conducting its review under this Section.

10 (d) (Blank).

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

12 (320 ILCS 25/8) (from Ch. 67 1/2, par. 408)

13 Sec. 8. Records. Every claimant of a grant under this Act  
14 and, ~~prior to July 1, 2012,~~ every applicant for pharmaceutical  
15 assistance under this Act shall keep such records, render such  
16 statements, file such forms and comply with such rules and  
17 regulations as the Department on Aging may from time to time  
18 prescribe. The Department on Aging may by regulations require  
19 landlords to furnish to tenants statements as to gross rent or  
20 rent constituting property taxes accrued.

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

22 (320 ILCS 25/9) (from Ch. 67 1/2, par. 409)

23 Sec. 9. Fraud; error.

24 (a) Any person who files a fraudulent claim for a grant

1 under this Act, or who for compensation prepares a claim for a  
2 grant and knowingly enters false information on an application  
3 for any claimant under this Act, or who fraudulently files  
4 multiple applications, or who fraudulently states that a  
5 person without a disability is a person with a disability, or  
6 who, ~~prior to July 1, 2012,~~ fraudulently procures  
7 pharmaceutical assistance benefits, or who fraudulently uses  
8 such assistance to procure covered prescription drugs, or who,  
9 on behalf of an authorized pharmacy, files a fraudulent  
10 request for payment, is guilty of a Class 4 felony for the  
11 first offense and is guilty of a Class 3 felony for each  
12 subsequent offense.

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

20 ~~(Blank)~~.

21 (c) The Department on Aging may recover from a claimant  
22 any amount paid to that claimant under this Act on account of  
23 an erroneous or fraudulent claim, together with 6% interest  
24 per year. Amounts recoverable from a claimant by the  
25 Department on Aging under this Act may, but need not, be  
26 recovered by offsetting the amount owed against any future

1 grant payable to the person under this Act.

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

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

15 (Source: P.A. 99-143, eff. 7-27-15.)

16 (320 ILCS 25/12) (from Ch. 67 1/2, par. 412)

17 Sec. 12. Regulations - Department on Aging.

18 (a) Regulations. Notwithstanding any other provision to  
19 the contrary, the Department on Aging may adopt rules  
20 regarding applications, proof of eligibility, required  
21 identification information, use of social security numbers,  
22 counting of income, and a method of computing "gross rent" in  
23 the case of a claimant living in a nursing or sheltered care  
24 home, and any other rules necessary for the cost-efficient  
25 operation of the program established under Section 4.

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

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

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

8 (3) secure the cooperation of the Department of  
9 Revenue, the Department of Healthcare and Family Services,  
10 other State agencies, and local business establishments to  
11 facilitate distribution of applications under this Act to  
12 those eligible to file claims; and

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

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

20 (320 ILCS 25/13) (from Ch. 67 1/2, par. 413)

21 Sec. 13. List of persons who have qualified. The  
22 Department on Aging shall maintain a list of all persons who  
23 have qualified under this Act and shall make the list  
24 available to the Department of Healthcare and Family Services,  
25 the Department of Public Health, the Secretary of State,



1 municipalities, and public transit authorities upon request.

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

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

9 Section 70. The Senior Citizens Real Estate Tax Deferral  
10 Act is amended by changing Sections 2 and 8 as follows:

11 (320 ILCS 30/2) (from Ch. 67 1/2, par. 452)

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

13 (a) "Taxpayer" means an individual whose household income  
14 for the year is no greater than: (i) \$40,000 through tax year  
15 2005; (ii) \$50,000 for tax years 2006 through 2011; and (iii)  
16 \$55,000 for tax year 2012 and thereafter.

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

19 (c) "Homestead" means the land and buildings thereon,  
20 including a condominium or a dwelling unit in a multidwelling  
21 building that is owned and operated as a cooperative, occupied  
22 by the taxpayer as his residence or which are temporarily  
23 unoccupied by the taxpayer because such taxpayer is  
24 temporarily residing, for not more than 1 year, in a licensed

1 facility as defined in Section 1-113 of the Nursing Home Care  
2 Act.

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

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

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

19 (g) "Equity interest" means the current assessed valuation  
20 of the qualified property times the fraction necessary to  
21 convert that figure to full market value minus any outstanding  
22 debts or liens on that property. In the case of qualifying  
23 property not having a separate assessed valuation, the  
24 appraised value as determined by a qualified real estate  
25 appraiser shall be used instead of the current assessed  
26 valuation.

1 (h) "Household income" has the meaning ascribed to that  
2 term in the Senior Citizens and Persons with Disabilities  
3 Property Tax Relief and Pharmaceutical Assistance Act.

4 (i) "Collector" means the county collector or, if the  
5 taxes to be deferred are special assessments, an official  
6 designated by a unit of local government to collect special  
7 assessments.

8 (Source: P.A. 99-143, eff. 7-27-15.)

9 (320 ILCS 30/8) (from Ch. 67 1/2, par. 458)

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

16 (Source: P.A. 99-143, eff. 7-27-15.)

17 Section 75. The Senior Pharmaceutical Assistance Act is  
18 amended by changing Section 5 as follows:

19 (320 ILCS 50/5)

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

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

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

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

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

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

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

23           (7) Establishing a pharmaceutical clearinghouse with a  
24 toll-free hot-line and local outreach workers will educate  
25 seniors about the vast array of options available to them and  
26 enable seniors to make an educated and informed choice that is

1 best for them.

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

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

12 (Source: P.A. 99-143, eff. 7-27-15.)

13 Section 80. The Illinois Vehicle Code is amended by  
14 changing Sections 3-609, 3-623, 3-626, 3-667, 3-683, 3-806.3,  
15 and 11-1301.2 as follows:

16 (625 ILCS 5/3-609) (from Ch. 95 1/2, par. 3-609)

17 Sec. 3-609. Plates for veterans with disabilities.

18 (a) Any veteran who holds proof of a service-connected  
19 disability from the United States Department of Veterans  
20 Affairs, and who has obtained certification from a licensed  
21 physician, physician assistant, or advanced practice  
22 registered nurse that the service-connected disability  
23 qualifies the veteran for issuance of registration plates or  
24 digital registration plates or decals to a person with

1 disabilities in accordance with Section 3-616, may, without  
2 the payment of any registration fee, make application to the  
3 Secretary of State for license plates for veterans with  
4 disabilities displaying the international symbol of access,  
5 for the registration of one motor vehicle of the first  
6 division, one motorcycle, or one motor vehicle of the second  
7 division weighing not more than 8,000 pounds.

8 (b) Any veteran who holds proof of a service-connected  
9 disability from the United States Department of Veterans  
10 Affairs, and whose degree of disability has been declared to  
11 be 50% or more, but whose disability does not qualify the  
12 veteran for a plate or decal for persons with disabilities  
13 under Section 3-616, may, without the payment of any  
14 registration fee, make application to the Secretary for a  
15 special registration plate or digital registration plate  
16 without the international symbol of access for the  
17 registration of one motor vehicle of the first division, one  
18 motorcycle, or one motor vehicle of the second division  
19 weighing not more than 8,000 pounds.

20 (c) Renewal of such registration must be accompanied with  
21 documentation for eligibility of registration without fee  
22 unless the applicant has a permanent qualifying disability,  
23 and such registration plates or digital registration plates  
24 may not be issued to any person not eligible therefor. The  
25 Illinois Department of Veterans' Affairs may assist in  
26 providing the documentation of disability.

1 (d) The design and color of the plates shall be within the  
2 discretion of the Secretary, except that the plates issued  
3 under subsection (b) of this Section shall not contain the  
4 international symbol of access. The Secretary may, in his or  
5 her discretion, allow the plates to be issued as vanity or  
6 personalized plates in accordance with Section 3-405.1 of this  
7 Code. Registration shall be for a multi-year period and may be  
8 issued staggered registration.

9 (e) Any person eligible to receive license plates under  
10 this Section who has been approved for benefits under the  
11 Senior Citizens and Persons with Disabilities Property Tax  
12 Relief and Pharmaceutical Assistance Act, or who has claimed  
13 and received a grant under that Act, shall pay a fee of \$24  
14 instead of the fee otherwise provided in this Code for  
15 passenger cars displaying standard multi-year registration  
16 plates or digital registration plates issued under Section  
17 3-414.1, for motor vehicles registered at 8,000 pounds or less  
18 under Section 3-815(a), or for recreational vehicles  
19 registered at 8,000 pounds or less under Section 3-815(b), for  
20 a second set of plates under this Section.

21 (Source: P.A. 100-513, eff. 1-1-18; 101-395, eff. 8-16-19;  
22 101-536, eff. 1-1-20; revised 9-24-19.)

23 (625 ILCS 5/3-623) (from Ch. 95 1/2, par. 3-623)

24 Sec. 3-623. Purple Heart Plates.

25 (a) The Secretary, upon receipt of an application made in

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

18 (b) The design and color of such plates shall be wholly  
19 within the discretion of the Secretary of State. Appropriate  
20 documentation, as determined by the Secretary, and the  
21 appropriate registration fee shall accompany the application,  
22 except:

23 (1) a person eligible to be issued Purple Heart plates  
24 may display the plates on one vehicle without the payment  
25 of any registration or registration renewal fee; and

26 (2) for an individual who has been issued Purple Heart



1 plates for an additional vehicle and who has been approved  
2 for benefits under the Senior Citizens and Persons with  
3 Disabilities Property Tax Relief and Pharmaceutical  
4 Assistance Act, the annual fee for the registration of the  
5 vehicle shall be as provided in Section 3-806.3 of this  
6 Code.

7 (Source: P.A. 98-902, eff. 1-1-15; 99-143, eff. 7-27-15.)

8 (625 ILCS 5/3-626)

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

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

24 (b) The design, color, and format of the plates shall be  
25 wholly within the discretion of the Secretary of State. The

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

9 (c) (Blank).

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

23 (e) An individual who has been issued Korean War Veteran  
24 license plates for a vehicle and who has been approved for  
25 benefits under the Senior Citizens and Persons with  
26 Disabilities Property Tax Relief and Pharmaceutical Assistance

1 Act shall pay the original issuance and the regular annual fee  
2 for the registration of the vehicle as provided in Section  
3 3-806.3 of this Code.

4 (Source: P.A. 99-127, eff. 1-1-16; 99-143, eff. 7-27-15;  
5 99-642, eff. 7-28-16; 100-143, eff. 1-1-18.)

6 (625 ILCS 5/3-667)

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

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

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

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

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

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

19 (Source: P.A. 99-143, eff. 7-27-15.)

20 (625 ILCS 5/3-683)

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

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

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

20 (Source: P.A. 99-143, eff. 7-27-15.)

21 (625 ILCS 5/3-806.3) (from Ch. 95 1/2, par. 3-806.3)

22 Sec. 3-806.3. Senior citizens. Commencing with the 2009  
23 registration year, the registration fee paid by any vehicle  
24 owner who has been approved for benefits under the Senior  
25 Citizens and Persons with Disabilities Property Tax Relief and

1 Pharmaceutical Assistance Act or who is the spouse of such a  
2 person shall be \$24 instead of the fee otherwise provided in  
3 this Code for passenger cars displaying standard multi-year  
4 registration plates or digital registration plates issued  
5 under Section 3-414.1, motor vehicles displaying special  
6 registration plates or digital registration plates issued  
7 under Section 3-609, 3-616, 3-621, 3-622, 3-623, 3-624, 3-625,  
8 3-626, 3-628, 3-638, 3-642, 3-645, 3-647, 3-650, 3-651, 3-663,  
9 or 3-699.17, motor vehicles registered at 8,000 pounds or less  
10 under Section 3-815(a), and recreational vehicles registered  
11 at 8,000 pounds or less under Section 3-815(b). Widows and  
12 widowers of claimants shall also be entitled to this reduced  
13 registration fee for the registration year in which the  
14 claimant was 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 Persons with  
18 Disabilities Property Tax Relief and Pharmaceutical Assistance  
19 Act or who is the spouse of such a person shall be \$24 instead  
20 of the fee otherwise provided in this Code for passenger cars  
21 displaying standard multi-year registration plates or digital  
22 registration plates issued under Section 3-414.1, motor  
23 vehicles displaying special registration plates or digital  
24 registration plates issued under Section 3-607, 3-609, 3-616,  
25 3-621, 3-622, 3-623, 3-624, 3-625, 3-626, 3-628, 3-638, 3-642,  
26 3-645, 3-647, 3-650, 3-651, 3-663, 3-664, or 3-699.17, motor

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

7 Commencing with the 2017 registration year, the reduced  
8 fee under this Section shall apply to any special registration  
9 plate or digital registration plate authorized in Article VI  
10 of Chapter 3 of this Code for which the applicant would  
11 otherwise be eligible.

12 Surcharges for vehicle registrations under Section 3-806  
13 of this Code shall not be collected from any vehicle owner who  
14 has been approved for benefits under the Senior Citizens and  
15 Persons with Disabilities ~~Disabled Persons~~ Property Tax Relief  
16 and Pharmaceutical Assistance Act or a person who is the  
17 spouse of such a person.

18 No more than one reduced registration fee under this  
19 Section shall be allowed during any 12-month period based on  
20 the primary eligibility of any individual, whether such  
21 reduced registration fee is allowed to the individual or to  
22 the spouse, widow or widower of such individual. This Section  
23 does not apply to the fee paid in addition to the registration  
24 fee for motor vehicles displaying vanity, personalized, or  
25 special license plates.

26 (Source: P.A. 101-51, eff. 7-12-19; 101-395, eff. 8-16-19;

1 revised 9-24-19.)

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

3 Sec. 11-1301.2. Special decals for parking; persons with  
4 disabilities.

5 (a) The Secretary of State shall provide for, by  
6 administrative rules, the design, size, color, and placement  
7 of a person with disabilities motorist decal or device and  
8 shall provide for, by administrative rules, the content and  
9 form of an application for a person with disabilities motorist  
10 decal or device, which shall be used by local authorities in  
11 the issuance thereof to a person with temporary disabilities,  
12 provided that the decal or device is valid for no more than 90  
13 days, subject to renewal for like periods based upon continued  
14 disability, and further provided that the decal or device  
15 clearly sets forth the date that the decal or device expires.  
16 The application shall include the requirement of an Illinois  
17 Identification Card number or a State of Illinois driver's  
18 license number or, if the applicant does not have an  
19 identification card or driver's license number, then the  
20 applicant may use a valid identification number issued by a  
21 branch of the U.S. military or a federally issued Medicare or  
22 Medicaid identification number. This decal or device may be  
23 used by the authorized holder to designate and identify a  
24 vehicle not owned or displaying a registration plate or  
25 digital registration plate as provided in Sections 3-609 and



1 3-616 of this Act to designate when the vehicle is being used  
2 to transport said person or persons with disabilities, and  
3 thus is entitled to enjoy all the privileges that would be  
4 afforded a person with disabilities licensed vehicle. Person  
5 with disabilities decals or devices issued and displayed  
6 pursuant to this Section shall be recognized and honored by  
7 all local authorities regardless of which local authority  
8 issued such decal or device.

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

13 (b) The local governing authorities shall be responsible  
14 for the provision of such decal or device, its issuance and  
15 designated placement within the vehicle. The cost of such  
16 decal or device shall be at the discretion of such local  
17 governing authority.

18 (c) The Secretary of State may, pursuant to Section  
19 3-616(c), issue a person with disabilities parking decal or  
20 device to a person with disabilities as defined by Section  
21 1-159.1. Any person with disabilities parking decal or device  
22 issued by the Secretary of State shall be registered to that  
23 person with disabilities in the form to be prescribed by the  
24 Secretary of State. The person with disabilities parking decal  
25 or device shall not display that person's address. One  
26 additional decal or device may be issued to an applicant upon

1 his or her written request and with the approval of the  
2 Secretary of State. The written request must include a  
3 justification of the need for the additional decal or device.

4 (c-5) Beginning January 1, 2014, the Secretary shall  
5 provide by administrative rule for the issuance of a separate  
6 and distinct parking decal or device for persons with  
7 disabilities as defined by Section 1-159.1 of this Code and  
8 who meet the qualifications under this subsection. The  
9 authorized holder of a decal or device issued under this  
10 subsection (c-5) shall be exempt from the payment of fees  
11 generated by parking in a metered space, a parking area  
12 subject to paragraph (10) of subsection (a) of Section 11-209  
13 of this Code, or a publicly owned parking area.

14 The Secretary shall issue a meter-exempt decal or device  
15 to a person with disabilities who: (i) has been issued  
16 registration plates or digital registration plates under  
17 subsection (a) of Section 3-609 or Section 3-616 of this Code  
18 or a special decal or device under this Section, (ii) holds a  
19 valid Illinois driver's license, and (iii) is unable to do one  
20 or more of the following:

21 (1) manage, manipulate, or insert coins, or obtain  
22 tickets or tokens in parking meters or ticket machines in  
23 parking lots, due to the lack of fine motor control of both  
24 hands;

25 (2) reach above his or her head to a height of 42  
26 inches from the ground, due to a lack of finger, hand, or

1 upper extremity strength or mobility;

2 (3) approach a parking meter due to his or her use of a  
3 wheelchair or other device for mobility; or

4 (4) walk more than 20 feet due to an orthopedic,  
5 neurological, cardiovascular, or lung condition in which  
6 the degree of debilitation is so severe that it almost  
7 completely impedes the ability to walk.

8 The application for a meter-exempt parking decal or device  
9 shall contain a statement certified by a licensed physician,  
10 physician assistant, or advanced practice registered nurse  
11 attesting to the permanent nature of the applicant's condition  
12 and verifying that the applicant meets the physical  
13 qualifications specified in this subsection (c-5).

14 Notwithstanding the requirements of this subsection (c-5),  
15 the Secretary shall issue a meter-exempt decal or device to a  
16 person who has been issued registration plates or digital  
17 registration plates under Section 3-616 of this Code or a  
18 special decal or device under this Section, if the applicant  
19 is the parent or guardian of a person with disabilities who is  
20 under 18 years of age and incapable of driving.

21 (d) Replacement decals or devices may be issued for lost,  
22 stolen, or destroyed decals upon application and payment of a  
23 \$10 fee. The replacement fee may be waived for individuals  
24 that have claimed and received a grant under the Senior  
25 Citizens and Persons with Disabilities Property Tax Relief and  
26 Pharmaceutical Assistance Act.

1 (e) A person classified as a veteran under subsection (e)  
2 of Section 6-106 of this Code that has been issued a decal or  
3 device under this Section shall not be required to submit  
4 evidence of disability in order to renew that decal or device  
5 if, at the time of initial application, he or she submitted  
6 evidence from his or her physician or the Department of  
7 Veterans' Affairs that the disability is of a permanent  
8 nature. However, the Secretary shall take reasonable steps to  
9 ensure the veteran still resides in this State at the time of  
10 the renewal. These steps may include requiring the veteran to  
11 provide additional documentation or to appear at a Secretary  
12 of State facility. To identify veterans who are eligible for  
13 this exemption, the Secretary shall compare the list of the  
14 persons who have been issued a decal or device to the list of  
15 persons who have been issued a vehicle registration plate or  
16 digital registration plate for veterans with disabilities  
17 under Section 3-609 of this Code, or who are identified as a  
18 veteran on their driver's license under Section 6-110 of this  
19 Code or on their identification card under Section 4 of the  
20 Illinois Identification Card Act.

21 (Source: P.A. 100-513, eff. 1-1-18; 100-702, eff. 1-1-19;  
22 101-395, eff. 8-16-19.)

23 Section 85. The Criminal Code of 2012 is amended by  
24 changing Section 17-6.5 as follows:

1 (720 ILCS 5/17-6.5)

2 Sec. 17-6.5. Persons under deportation order;  
3 ineligibility for benefits.

4 (a) An individual against whom a United States Immigration  
5 Judge has issued an order of deportation which has been  
6 affirmed by the Board of Immigration Review, as well as an  
7 individual who appeals such an order pending appeal, under  
8 paragraph 19 of Section 241(a) of the Immigration and  
9 Nationality Act relating to persecution of others on account  
10 of race, religion, national origin or political opinion under  
11 the direction of or in association with the Nazi government of  
12 Germany or its allies, shall be ineligible for the following  
13 benefits authorized by State law:

14 (1) The homestead exemptions and homestead improvement  
15 exemption under Sections 15-170, 15-175, 15-176, and  
16 15-180 of the Property Tax Code.

17 (2) Grants under the Senior Citizens and Persons with  
18 Disabilities Property Tax Relief and Pharmaceutical  
19 Assistance Act.

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

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

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

26 (6) Free fishing and reduced fishing license fees

1 under Sections 20-5 and 20-40 of the Fish and Aquatic Life  
2 Code.

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

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

6 (b) If a person has been found by a court to have knowingly  
7 received benefits in violation of subsection (a) and:

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

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

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

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

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

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

5           (d) Any grants awarded to persons described in subsection  
6 (a) may be recovered by the State of Illinois in a civil action  
7 commenced by the Attorney General in the circuit court of  
8 Sangamon County or the State's Attorney of the county of  
9 residence of the person described in subsection (a).

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

23          (Source: P.A. 99-143, eff. 7-27-15.)

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