

1 AN ACT in relation to funeral expenses.

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

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

6 (305 ILCS 5/12-4.11) (from Ch. 23, par. 12-4.11)

7 Sec. 12-4.11. Grant amounts. The Department, with due  
8 regard for and subject to budgetary limitations, shall  
9 establish grant amounts for each of the programs, by  
10 regulation. The grant amounts may vary by program, size of  
11 assistance unit and geographic area.

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

18 In fixing standards to govern payments or reimbursements  
19 for funeral and burial expenses, the Department shall  
20 establish a minimum allowable amount of not less than \$1,000  
21 for Department payment of funeral services and not less than  
22 \$500 for Department payment of burial or cremation services.  
23 On July 1, 2004 and on each July 1 thereafter, the Department  
24 shall increase the minimum reimbursement amount for funeral  
25 and burial expenses under this Section by a percentage equal  
26 to the percentage increase in the Consumer Price Index for  
27 All Urban Consumers, if any, during the 12 months immediately  
28 preceeding that July 1. In establishing the minimum  
29 allowable amount, the Department shall take into account the  
30 services essential to a dignified, low-cost (i) funeral and  
31 (ii) burial or cremation, including reasonable amounts that

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

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

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

26 Section 99. Effective date. This Act takes effect upon  
27 becoming law.