



Rep. Robert Rita

**Filed: 3/31/2004**

09300HB5364ham001

LRB093 17040 DRJ 49507 a

1 AMENDMENT TO HOUSE BILL 5364

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 5364 by replacing  
3 the title with the following:

4 "AN ACT in relation to funeral expenses."; and

5 by replacing everything after the enacting clause with the  
6 following:

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

9 (305 ILCS 5/12-4.11) (from Ch. 23, par. 12-4.11)

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

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

21 In fixing standards to govern payments or reimbursements  
22 for funeral and burial expenses, the Department shall establish  
23 a minimum allowable amount of not less than \$1,000 for

1 Department payment of funeral services and not less than \$500  
2 for Department payment of burial or cremation services. On July  
3 1, 2004 and on each July 1 thereafter, the Department shall  
4 increase the minimum reimbursement amount for funeral and  
5 burial expenses under this Section by a percentage equal to the  
6 percentage increase in the Consumer Price Index for All Urban  
7 Consumers, if any, during the 12 months immediately preceding  
8 that July 1. In establishing the minimum allowable amount, the  
9 Department shall take into account the services essential to a  
10 dignified, low-cost (i) funeral and (ii) burial or cremation,  
11 including reasonable amounts that may be necessary for burial  
12 space and cemetery charges, and any applicable taxes or other  
13 required governmental fees or charges. If no person has agreed  
14 to pay the total cost of the (i) funeral and (ii) burial or  
15 cremation charges, the Department shall pay the vendor the  
16 actual costs of the (i) funeral and (ii) burial or cremation,  
17 or the minimum allowable amount for each service as established  
18 by the Department, whichever is less, provided that the  
19 Department reduces its payments by the amount available from  
20 the following sources: the decedent's assets and available  
21 resources and the anticipated amounts of any death benefits  
22 available to the decedent's estate, and amounts paid and  
23 arranged to be paid by the decedent's legally responsible  
24 relatives. A legally responsible relative is expected to pay  
25 (i) funeral and (ii) burial or cremation expenses unless  
26 financially unable to do so.

27 Nothing contained in this Section or in any other Section  
28 of this Code shall be construed to prohibit the Illinois  
29 Department (1) from consolidating existing standards on the  
30 basis of any standards which are or were in effect on, or  
31 subsequent to July 1, 1969, or (2) from employing any  
32 consolidated standards in determining need for public aid and  
33 the amount of money payment or grant for individual recipients  
34 or recipient families.

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

2 Section 99. Effective date. This Act takes effect upon  
3 becoming law.".