



## 93RD GENERAL ASSEMBLY

### State of Illinois

#### 2003 and 2004

Introduced 02/09/04, by Harry Osterman

#### SYNOPSIS AS INTRODUCED:

30 ILCS 105/8.27

from Ch. 127, par. 144.27

305 ILCS 5/12-5

from Ch. 23, par. 12-5

Amends the State Finance Act and the Illinois Public Aid Code. Provides that federal funds received by the Illinois Department of Human Services under Title IV for Temporary Assistance for Needy Families as reimbursement for expenditures made from the Illinois Department of Children and Family Services (DCFS) appropriations for costs of providing services in behalf of DCFS clients shall be deposited quarterly into the DCFS Children's Services Fund in amounts specified by interagency agreement between both agencies and the Governor's Office of Management and Budget. (Under current law, 80% of those federal funds shall be deposited into the DCFS Children's Services Fund.) Effective immediately.

LRB093 21148 DRJ 47211 b

FISCAL NOTE ACT  
MAY APPLY

1 AN ACT concerning public aid.

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

4 Section 5. The State Finance Act is amended by changing  
5 Section 8.27 as follows:

6 (30 ILCS 105/8.27) (from Ch. 127, par. 144.27)

7 Sec. 8.27. All receipts from federal financial  
8 participation in the Foster Care and Adoption Services program  
9 under Title IV-E of the federal Social Security Act, including  
10 receipts for related indirect costs, but excluding receipts  
11 from federal financial participation in such Title IV-E Foster  
12 Care and Adoption Training program, shall be deposited in the  
13 DCFS Children's Services Fund.

14 Federal funds received by the Illinois Department of Human  
15 Services under Title IV for Temporary Assistance for Needy  
16 Families as reimbursement for expenditures made from the  
17 Illinois Department of Children and Family Services (DCFS)  
18 appropriations for costs of providing services in behalf of  
19 DCFS clients shall be deposited quarterly into the DCFS  
20 Children's Services Fund in amounts specified by interagency  
21 agreement between both agencies and the Governor's Office of  
22 Management and Budget. ~~Eighty percent of the federal funds~~  
23 ~~received by the Illinois Department of Human Services under the~~  
24 ~~Title IV A Emergency Assistance program as reimbursement for~~  
25 ~~expenditures made from the Illinois Department of Children and~~  
26 ~~Family Services appropriations for the costs of services in~~  
27 ~~behalf of Department of Children and Family Services clients~~  
28 ~~shall be deposited into the DCFS Children's Services Fund.~~

29 All receipts from federal financial participation in the  
30 Child Welfare Services program under Title IV-B of the federal  
31 Social Security Act, including receipts for related indirect  
32 costs, shall be deposited into the DCFS Children's Services

1 Fund for those moneys received as reimbursement for services  
2 provided on or after July 1, 1994.

3 In addition, as soon as may be practicable after the first  
4 day of November, 1994, the Department of Children and Family  
5 Services shall request the Comptroller to order transferred and  
6 the Treasurer shall transfer the unexpended balance of the  
7 Child Welfare Services Fund to the DCFS Children's Services  
8 Fund. Upon completion of the transfer, the Child Welfare  
9 Services Fund will be considered dissolved and any outstanding  
10 obligations or liabilities of that fund will pass to the DCFS  
11 Children's Services Fund.

12 Monies in the Fund may be used by the Department, pursuant  
13 to appropriation by the General Assembly, for the ordinary and  
14 contingent expenses of the Department.

15 In fiscal year 1988 and in each fiscal year thereafter  
16 through fiscal year 2000, the Comptroller shall order  
17 transferred and the Treasurer shall transfer an amount of  
18 \$16,100,000 from the DCFS Children's Services Fund to the  
19 General Revenue Fund in the following manner: As soon as may be  
20 practicable after the 15th day of September, December, March  
21 and June, the Comptroller shall order transferred and the  
22 Treasurer shall transfer, to the extent that funds are  
23 available, 1/4 of \$16,100,000, plus any cumulative  
24 deficiencies in such transfers for prior transfer dates during  
25 such fiscal year. In no event shall any such transfer reduce  
26 the available balance in the DCFS Children's Services Fund  
27 below \$350,000.

28 In accordance with subsection (q) of Section 5 of the  
29 Children and Family Services Act, disbursements from  
30 individual children's accounts shall be deposited into the DCFS  
31 Children's Services Fund.

32 (Source: P.A. 91-712, eff. 7-1-00.)

33 Section 10. The Illinois Public Aid Code is amended by  
34 changing Section 12-5 as follows:

1 (305 ILCS 5/12-5) (from Ch. 23, par. 12-5)

2 Sec. 12-5. Appropriations; uses; federal grants; report to  
3 General Assembly. From the sums appropriated by the General  
4 Assembly, the Illinois Department shall order for payment by  
5 warrant from the State Treasury grants for public aid under  
6 Articles III, IV, and V, including grants for funeral and  
7 burial expenses, and all costs of administration of the  
8 Illinois Department and the County Departments relating  
9 thereto. Moneys appropriated to the Illinois Department for  
10 public aid under Article VI may be used, with the consent of  
11 the Governor, to co-operate with federal, State, and local  
12 agencies in the development of work projects designed to  
13 provide suitable employment for persons receiving public aid  
14 under Article VI. The Illinois Department, with the consent of  
15 the Governor, may be the agent of the State for the receipt and  
16 disbursement of federal funds or commodities for public aid  
17 purposes under Article VI and for related purposes in which the  
18 co-operation of the Illinois Department is sought by the  
19 federal government, and, in connection therewith, may make  
20 necessary expenditures from moneys appropriated for public aid  
21 under any Article of this Code and for administration. The  
22 Illinois Department, with the consent of the Governor, may be  
23 the agent of the State for the receipt and disbursement of  
24 federal funds pursuant to the Immigration Reform and Control  
25 Act of 1986 and may make necessary expenditures from monies  
26 appropriated to it for operations, administration, and grants,  
27 including payment to the Health Insurance Reserve Fund for  
28 group insurance costs at the rate certified by the Department  
29 of Central Management Services. All amounts received by the  
30 Illinois Department pursuant to the Immigration Reform and  
31 Control Act of 1986 shall be deposited in the Immigration  
32 Reform and Control Fund. All amounts received into the  
33 Immigration Reform and Control Fund as reimbursement for  
34 expenditures from the General Revenue Fund shall be transferred  
35 to the General Revenue Fund.

36 All grants received by the Illinois Department for programs

1 funded by the Federal Social Services Block Grant shall be  
2 deposited in the Social Services Block Grant Fund. All funds  
3 received into the Social Services Block Grant Fund as  
4 reimbursement for expenditures from the General Revenue Fund  
5 shall be transferred to the General Revenue Fund. All funds  
6 received into the Social Services Block Grant fund for  
7 reimbursement for expenditure out of the Local Initiative Fund  
8 shall be transferred into the Local Initiative Fund. Any other  
9 federal funds received into the Social Services Block Grant  
10 Fund shall be transferred to the Special Purposes Trust Fund.  
11 All federal funds received by the Illinois Department as  
12 reimbursement for Employment and Training Programs for  
13 expenditures made by the Illinois Department from grants,  
14 gifts, or legacies as provided in Section 12-4.18 or made by an  
15 entity other than the Illinois Department shall be deposited  
16 into the Employment and Training Fund, except that federal  
17 funds received as reimbursement as a result of the  
18 appropriation made for the costs of providing adult education  
19 to public assistance recipients under the "Adult Education,  
20 Public Assistance Fund" shall be deposited into the General  
21 Revenue Fund; provided, however, that all funds, except those  
22 that are specified in an interagency agreement between the  
23 Illinois Community College Board and the Illinois Department,  
24 that are received by the Illinois Department as reimbursement  
25 under Title IV-A of the Social Security Act for expenditures  
26 that are made by the Illinois Community College Board or any  
27 public community college of this State shall be credited to a  
28 special account that the State Treasurer shall establish and  
29 maintain within the Employment and Training Fund for the  
30 purpose of segregating the reimbursements received for  
31 expenditures made by those entities. As reimbursements are  
32 deposited into the Employment and Training Fund, the Illinois  
33 Department shall certify to the State Comptroller and State  
34 Treasurer the amount that is to be credited to the special  
35 account established within that Fund as a reimbursement for  
36 expenditures under Title IV-A of the Social Security Act made

1 by the Illinois Community College Board or any of the public  
2 community colleges. All amounts credited to the special account  
3 established and maintained within the Employment and Training  
4 Fund as provided in this Section shall be held for transfer to  
5 the TANF Opportunities Fund as provided in subsection (d) of  
6 Section 12-10.3, and shall not be transferred to any other fund  
7 or used for any other purpose.

8 Any or all federal funds received as reimbursement for food  
9 and shelter assistance under the Emergency Food and Shelter  
10 Program authorized by Section 12-4.5 may be deposited, with the  
11 consent of the Governor, into the Homelessness Prevention Fund.

12 Federal funds received by the Illinois Department of Human  
13 Services under Title IV for Temporary Assistance for Needy  
14 Families as reimbursement for expenditures made from the  
15 Illinois Department of Children and Family Services (DCFS)  
16 appropriations for costs of providing services in behalf of  
17 DCFS clients shall be deposited quarterly into the DCFS  
18 Children's Services Fund in amounts specified by interagency  
19 agreement between both agencies and the Governor's Office of  
20 Management and Budget. ~~Eighty percent of the federal financial~~  
21 ~~participation funds received by the Illinois Department under~~  
22 ~~the Title IV A Emergency Assistance program as reimbursement~~  
23 ~~for expenditures made from the Illinois Department of Children~~  
24 ~~and Family Services appropriations for the costs of providing~~  
25 ~~services in behalf of Department of Children and Family~~  
26 ~~Services clients shall be deposited into the DCFS Children's~~  
27 ~~Services Fund.~~

28 All federal funds, except those covered by the foregoing 3  
29 paragraphs, received as reimbursement for expenditures from  
30 the General Revenue Fund shall be deposited in the General  
31 Revenue Fund for administrative and distributive expenditures  
32 properly chargeable by federal law or regulation to aid  
33 programs established under Articles III through XII and Titles  
34 IV, XVI, XIX and XX of the Federal Social Security Act. Any  
35 other federal funds received by the Illinois Department under  
36 Sections 12-4.6, 12-4.18 and 12-4.19 that are required by

1 Section 12-10 of this Code to be paid into the Special Purposes  
2 Trust Fund shall be deposited into the Special Purposes Trust  
3 Fund. Any other federal funds received by the Illinois  
4 Department pursuant to the Child Support Enforcement Program  
5 established by Title IV-D of the Social Security Act shall be  
6 deposited in the Child Support Enforcement Trust Fund as  
7 required under Section 12-10.2 of this Code. Any other federal  
8 funds received by the Illinois Department for medical  
9 assistance program expenditures made under Title XIX of the  
10 Social Security Act and Article V of this Code that are  
11 required by Section 5-4.21 of this Code to be paid into the  
12 Medicaid Developmentally Disabled Provider Participation Fee  
13 Trust Fund shall be deposited into the Medicaid Developmentally  
14 Disabled Provider Participation Fee Trust Fund. Any other  
15 federal funds received by the Illinois Department for medical  
16 assistance program expenditures made under Title XIX of the  
17 Social Security Act and Article V of this Code that are  
18 required by Section 5-4.31 of this Code to be paid into the  
19 Medicaid Long Term Care Provider Participation Fee Trust Fund  
20 shall be deposited into the Medicaid Long Term Care Provider  
21 Participation Fee Trust Fund. Any other federal funds received  
22 by the Illinois Department for hospital inpatient, hospital  
23 ambulatory care, and disproportionate share hospital  
24 expenditures made under Title XIX of the Social Security Act  
25 and Article V of this Code that are required by Section 14-2 of  
26 this Code to be paid into the Hospital Services Trust Fund  
27 shall be deposited into the Hospital Services Trust Fund. Any  
28 other federal funds received by the Illinois Department for  
29 expenditures made under Title XIX of the Social Security Act  
30 and Articles V and VI of this Code that are required by Section  
31 15-2 of this Code to be paid into the County Provider Trust  
32 Fund shall be deposited into the County Provider Trust Fund.  
33 Any other federal funds received by the Illinois Department for  
34 hospital inpatient, hospital ambulatory care, and  
35 disproportionate share hospital expenditures made under Title  
36 XIX of the Social Security Act and Article V of this Code that

1 are required by Section 5A-8 of this Code to be paid into the  
2 Hospital Provider Fund shall be deposited into the Hospital  
3 Provider Fund. Any other federal funds received by the Illinois  
4 Department for medical assistance program expenditures made  
5 under Title XIX of the Social Security Act and Article V of  
6 this Code that are required by Section 5B-8 of this Code to be  
7 paid into the Long-Term Care Provider Fund shall be deposited  
8 into the Long-Term Care Provider Fund. Any other federal funds  
9 received by the Illinois Department for medical assistance  
10 program expenditures made under Title XIX of the Social  
11 Security Act and Article V of this Code that are required by  
12 Section 5C-7 of this Code to be paid into the Developmentally  
13 Disabled Care Provider Fund shall be deposited into the  
14 Developmentally Disabled Care Provider Fund. Any other federal  
15 funds received by the Illinois Department for trauma center  
16 adjustment payments that are required by Section 5-5.03 of this  
17 Code and made under Title XIX of the Social Security Act and  
18 Article V of this Code shall be deposited into the Trauma  
19 Center Fund. Any other federal funds received by the Illinois  
20 Department as reimbursement for expenses for early  
21 intervention services paid from the Early Intervention  
22 Services Revolving Fund shall be deposited into that Fund.

23 The Illinois Department shall report to the General  
24 Assembly at the end of each fiscal quarter the amount of all  
25 funds received and paid into the Social Service Block Grant  
26 Fund and the Local Initiative Fund and the expenditures and  
27 transfers of such funds for services, programs and other  
28 purposes authorized by law. Such report shall be filed with the  
29 Speaker, Minority Leader and Clerk of the House, with the  
30 President, Minority Leader and Secretary of the Senate, with  
31 the Chairmen of the House and Senate Appropriations Committees,  
32 the House Human Resources Committee and the Senate Public  
33 Health, Welfare and Corrections Committee, or the successor  
34 standing Committees of each as provided by the rules of the  
35 House and Senate, respectively, with the Legislative Research  
36 Unit and with the State Government Report Distribution Center



1 for the General Assembly as is required under paragraph (t) of  
2 Section 7 of the State Library Act shall be deemed sufficient  
3 to comply with this Section.

4 (Source: P.A. 92-111, eff. 1-1-02; 93-632, eff. 2-1-04.)

5 Section 99. Effective date. This Act takes effect upon  
6 becoming law.