



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB5950

Introduced 2/10/2010, by Rep. William D. Burns - Barbara Flynn Currie

SYNOPSIS AS INTRODUCED:

305 ILCS 5/4-2

from Ch. 23, par. 4-2

Amends the Temporary Assistance for Needy Families Article of the Illinois Public Aid Code. Provides that on July 1, 2010, the Department of Human Services shall increase the TANF grant amounts for assistance units that include an adult or adults and assistance units that include a child or children only by 15%. Further provides that annually, at the beginning of each fiscal year subsequent to fiscal year 2011, the Department shall increase the TANF grant amounts in effect on June 30 of the preceding fiscal year for assistance units that include an adult or adults and assistance units that include a child or children only by 15%, until such time as the grant amounts for assistance units that include an adult or adults equal or exceed 50% of the Federal Poverty Level, and that thereafter, annually, at the beginning of each fiscal year, the Department shall increase the TANF grant amounts in effect on June 30 of the preceding fiscal year as needed to maintain the TANF grant amounts for assistance units that include an adult or adults at an amount equal to or a level greater than 50% of the Federal Poverty Level and shall increase the TANF grant amounts for assistance units that include a child or children only by the same percentage. Effective immediately.

LRB096 19164 KTG 36373 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 Illinois Public Aid Code is amended by
5 changing Section 4-2 as follows:

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

7 Sec. 4-2. Amount of aid.

8 (a) The amount and nature of financial aid shall be
9 determined in accordance with the grant amounts, rules and
10 regulations of the Illinois Department. Due regard shall be
11 given to the self-sufficiency requirements of the family and to
12 the income, money contributions and other support and resources
13 available, 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 Disabled Persons Property
16 Tax Relief and Pharmaceutical Assistance Act" or any
17 distributions or items of income described under subparagraph
18 (X) of paragraph (2) of subsection (a) of Section 203 of the
19 Illinois Income Tax Act. The aid shall be sufficient, when
20 added to all other income, money contributions and support to
21 provide the family with a grant in the amount established by
22 Department regulation. ~~Beginning July 1, 2008, the Department~~
23 ~~of Human Services shall increase TANF grant amounts in effect~~

1 ~~on June 30, 2008 by 9%.~~

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

7 On July 1, 2010, the Department of Human Services shall
8 increase the TANF grant amounts for assistance units that
9 include an adult or adults and assistance units that include a
10 child or children only by 15%. Annually, at the beginning of
11 each fiscal year subsequent to fiscal year 2011, the Department
12 shall increase the TANF grant amounts in effect on June 30 of
13 the preceding fiscal year for assistance units that include an
14 adult or adults and assistance units that include a child or
15 children only by 15%, until such time as the grant amounts for
16 assistance units that include an adult or adults equal or
17 exceed 50% of the Federal Poverty Level. Thereafter, annually,
18 at the beginning of each fiscal year, the Department shall
19 increase the TANF grant amounts in effect on June 30 of the
20 preceding fiscal year as needed to maintain the TANF grant
21 amounts for assistance units that include an adult or adults at
22 an amount equal to or a level greater than 50% of the Federal
23 Poverty Level and shall increase the TANF grant amounts for
24 assistance units that include a child or children only by the
25 same percentage.

26 (b) The Illinois Department may conduct special projects,

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

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

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

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

1 Department.

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

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

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

1 recipients of aid under this Article.

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

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

1 shall certify the amount and affected line item appropriations
2 to the State Comptroller.

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

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

17 (g) (Blank).

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

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

13 (Source: P.A. 95-744, eff. 7-18-08; 95-1055, eff. 4-10-09;
14 revised 4-14-09.)

15 Section 99. Effective date. This Act takes effect upon
16 becoming law.