

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 12-9.1 as follows:

6 (305 ILCS 5/12-9.1)

7 Sec. 12-9.1. DHS Recoveries Trust Fund; uses. The DHS
8 Recoveries Trust Fund shall consist of (1) recoveries
9 authorized by this Code in respect to applicants or recipients
10 under Articles III, IV, and VI, including recoveries from the
11 estates of deceased recipients, (2) payments received by the
12 Illinois Department of Human Services under Sections 10-3.1,
13 10-8, 10-10, 10-16, 10-19, and 12-9 that are required by those
14 Sections to be paid into the DHS Recoveries Trust Fund, (3)
15 federal financial participation revenue related to eligible
16 disbursements made by the Illinois Department of Human Services
17 from appropriations required by this Section, and (4) amounts
18 received by the Illinois Department of Human Services directly
19 from federal or State grants and intended to be used to pay a
20 portion of the Department's administrative expenses associated
21 with those grants. This Fund shall be held as a special fund in
22 the State Treasury.

23 Disbursements from the Fund shall be only (1) for the

1 reimbursement of claims collected by the Illinois Department of
2 Human Services through error or mistake, (2) for payment to
3 persons or agencies designated as payees or co-payees on any
4 instrument, whether or not negotiable, delivered to the
5 Illinois Department of Human Services as a recovery under this
6 Section, such payment to be in proportion to the respective
7 interests of the payees in the amount so collected, (3) for
8 payments to non-recipients, or to former recipients of
9 financial aid of the collections which are made in their behalf
10 under Article X, (4) for payment to local governmental units of
11 support payments collected by the Illinois Department of Human
12 Services pursuant to an agreement under Section 10-3.1, (5) for
13 payment of administrative expenses incurred in performing the
14 activities authorized by Article X, (6) for payment of
15 administrative expenses associated with the administration of
16 federal or State grants, (7) for payment of fees to person or
17 agencies in the performance of activities pursuant to the
18 collection of moneys owed the State, (8) for payments of any
19 amounts which are reimbursable to the federal government which
20 are required to be paid by State warrant by either the State or
21 federal government, and (9) for disbursements to attorneys or
22 advocates for legal representation in an appeal of any claim
23 for federal Supplemental Security Income benefits before an
24 administrative law judge as provided for in Section 3-13 of
25 this Code. Disbursements from the Fund for purposes of items
26 (5), (6), (7), and (9) of this paragraph shall be subject to

1 appropriations from the Fund to the Illinois Department of
2 Human Services.

3 Any transfers from the Fund that were required to be made
4 prior to June 19, 2013 (the effective date of Public Act 98-24)
5 shall not be made.

6 (Source: P.A. 98-24, eff. 6-19-13.)