

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.)