



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB1430

Introduced 2/7/2023, by Sen. Ram Villivalam

SYNOPSIS AS INTRODUCED:

60 ILCS 1/85-13	
305 ILCS 5/1-10	
305 ILCS 5/6-9	from Ch. 23, par. 6-9
305 ILCS 5/6-11.5 new	
305 ILCS 5/6-12	from Ch. 23, par. 6-12

Amends the Illinois Public Aid Code. Provides that persons shall not be determined ineligible for cash assistance provided under the General Assistance Article of the Code based upon a conviction for any drug-related felony under State or federal law. In provisions concerning General Assistance, provides that a local governmental unit may provide assistance to households under its General Assistance program following a disaster proclamation issued by the Governor if the local governmental unit is within the area designated under the proclamation. Provides that a local governmental unit may provide assistance under its General Assistance program under a service that complies with a specified provision of the Township Code. Provides that before a local government provides assistance, the board of the local government shall approve the expenditures of such assistance in accordance with the provisions of the General Assistance Article of the Code. Amends the Township Code. In provisions concerning the expenditure of township funds, expands the type of health services that may be provided with township funds to include mental, behavioral, eye, dental, or other healthcare. Provides that the township board may approve the application of a different, publicly available, professionally or academically recognized standard of need in determining eligibility for subsidized day care.

LRB103 26007 KTG 52361 b

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 Township Code is amended by changing
5 Section 85-13 as follows:

6 (60 ILCS 1/85-13)

7 Sec. 85-13. Township services, generally.

8 (a) The township board may either expend funds directly or
9 may enter into any cooperative agreement or contract with any
10 other governmental entity, not-for-profit corporation,
11 non-profit community service association, or any for-profit
12 business entity as provided in subsection (b) with respect to
13 the expenditure of township funds, or funds made available to
14 the township under the federal State and Local Fiscal
15 Assistance Act of 1972, to provide any of the following
16 services to the residents of the township:

17 (1) Ordinary and necessary maintenance and operating
18 expenses for the following:

19 (A) Public safety (including law enforcement, fire
20 protection, and building code enforcement).

21 (B) Environmental protection (including sewage
22 disposal, sanitation, and pollution abatement).

23 (C) Public transportation (including transit

1 systems, paratransit systems, and streets and roads).

2 (D) Health, including mental, behavioral, eye,
3 dental, or other healthcare.

4 (E) Recreation.

5 (F) Libraries.

6 (G) Social services for the poor and aged.

7 (2) Ordinary and necessary capital expenditures
8 authorized by law.

9 (3) Development and retention of business, industrial,
10 manufacturing, and tourist facilities within the township.

11 (b) To be eligible to receive funds from the township
12 under this Section, a private not-for-profit corporation or
13 community service association shall have been in existence at
14 least one year before receiving the funds. The township board
15 may, however, for the purpose of providing day care services,
16 contract with day care facilities licensed under the Child
17 Care Act of 1969, regardless of whether the facilities are
18 organized on a for-profit or not-for-profit basis.

19 (c) Township governments that directly expend or contract
20 for day care shall use the standard of need established by the
21 Department of Children and Family Services in determining
22 recipients of subsidized day care and shall use the rate
23 schedule used by the Department of Children and Family
24 Services for the purchase of subsidized day care.
25 Notwithstanding the preceding sentence, the township board may
26 approve the application of a different, publicly available,

1 professionally or academically recognized standard of need in
2 determining eligibility for subsidized day care.

3 (d) Township governments that directly expend or contract
4 for senior citizen services may contract with for-profit (or
5 not-for-profit) and non-sectarian organizations as provided in
6 Sections 220-15 and 220-35.

7 (e) Those township supervisors or other elected township
8 officials who are also members of a county board shall not vote
9 on questions before the township board or the county board
10 that relate to agreements or contracts between the township
11 and the county under this Section or agreements or contracts
12 between the township and the county that are otherwise
13 authorized by law.

14 (f) The township board may enter into direct agreements
15 with for-profit corporations or other business entities to
16 carry out recycling programs in unincorporated areas of the
17 township.

18 The township board may by ordinance administer a recycling
19 program or adopt rules and regulations relating to recycling
20 programs in unincorporated areas of the township that it from
21 time to time deems necessary and may provide penalties for
22 violations of those rules and regulations.

23 (g) For purposes of alleviating high unemployment,
24 economically depressed conditions, and lack of moderately
25 priced housing, the trustees of a township that includes all
26 or a portion of a city that is a "financially distressed city"

1 under the Financially Distressed City Law may contract with
2 one or more not-for-profit or for-profit organizations to
3 construct and operate within the boundaries of the township a
4 factory designed to manufacture housing or housing components.
5 The contract may provide for the private organization or
6 organizations to manage some or all operations of the factory
7 and may provide for (i) payment of employee compensation and
8 taxes; (ii) discharge of other legal responsibilities; (iii)
9 sale of products; (iv) disposition of the factory, equipment,
10 and other property; and (v) any other matters the township
11 trustees consider reasonable.

12 (Source: P.A. 95-119, eff. 8-13-07.)

13 Section 10. The Illinois Public Aid Code is amended by
14 changing Sections 1-10, 6-9, 6-12 and by adding Section 6-11.5
15 as follows:

16 (305 ILCS 5/1-10)

17 Sec. 1-10. Drug convictions.

18 (a) Persons convicted of an offense under the Illinois
19 Controlled Substances Act, the Cannabis Control Act, or the
20 Methamphetamine Control and Community Protection Act which is
21 a Class X felony, or a Class 1 felony, or comparable federal
22 criminal law which has as an element the possession, use, or
23 distribution of a controlled substance, as defined in Section
24 102(6) of the federal Controlled Substances Act (21 U.S.C.

1 802(c)), shall not be eligible for cash assistance provided
2 under this Code.

3 (b) Persons convicted of any other felony under the
4 Illinois Controlled Substances Act, the Cannabis Control Act,
5 or the Methamphetamine Control and Community Protection Act
6 which is not a Class X or Class 1 felony, or comparable federal
7 criminal law which has as an element the possession, use, or
8 distribution of a controlled substance, as defined in Section
9 102(6) of the federal Controlled Substances Act (21 U.S.C.
10 802(c)), shall not be eligible for cash assistance provided
11 under this Code for 2 years from the date of conviction. This
12 prohibition shall not apply if the person is in a drug
13 treatment program, aftercare program, or similar program as
14 defined by rule.

15 (c) Persons shall not be determined ineligible for food
16 stamps provided under this Code based upon a conviction of any
17 felony or comparable federal or State criminal law which has
18 an element the possession, use or distribution of a controlled
19 substance, as defined in Section 102(6) of the federal
20 Controlled Substances Act (21 U.S.C. 802(c)).

21 (d) Notwithstanding any other provision of this Section to
22 the contrary, persons shall not be determined ineligible for
23 cash assistance provided under Article IV or Article VI of
24 this Code based upon a conviction for any drug-related felony
25 under State or federal law.

26 (Source: P.A. 102-178, eff. 10-30-21.)

1 (305 ILCS 5/6-9) (from Ch. 23, par. 6-9)

2 Sec. 6-9. (a) (1) A local governmental unit may provide
3 assistance to households under its General Assistance program
4 following a declaration by the President of the United States
5 of a major disaster or emergency pursuant to the Federal
6 Disaster Relief Act of 1974, as now or hereafter amended, if
7 the local governmental unit is within the area designated
8 under the declaration. A local governmental unit may also
9 provide assistance to households under its General Assistance
10 program following a disaster proclamation issued by the
11 Governor if the local governmental unit is within the area
12 designated under the proclamation. Assistance under this
13 Section may be provided to households which have suffered
14 damage, loss or hardships as a result of the major disaster or
15 emergency. Assistance under this Section may be provided to
16 households without regard to the eligibility requirements and
17 other requirements of this Code. Assistance under this Section
18 may be provided only during the 90-day period following the
19 date of declaration of a major disaster or emergency.

20 (2) A local governmental unit shall not use State funds to
21 provide assistance under this Section. If a local governmental
22 unit receives State funds to provide General Assistance under
23 this Article, assistance provided by the local governmental
24 unit under this Section shall not be considered in determining
25 whether a local governmental unit has qualified to receive

1 State funds under Article XII. A local governmental unit which
2 provides assistance under this Section shall not, as a result
3 of payment of such assistance, change the nature or amount of
4 assistance provided to any other individual or family under
5 this Article.

6 (3) This Section shall not apply to any municipality of
7 more than 500,000 population in which a separate program has
8 been established by the Illinois Department under Section 6-1.

9 (b) (1) A local governmental unit may provide assistance
10 to households for food and temporary shelter. To qualify for
11 assistance a household shall submit to the local governmental
12 unit: (A) such application as the local governmental unit may
13 require; (B) a copy of an application to the Federal Emergency
14 Management Agency (hereinafter "FEMA") or the Small Business
15 Administration (hereinafter "SBA") for assistance; (C) such
16 other proof of damage, loss or hardship as the local
17 governmental unit may require; and (D) an agreement to
18 reimburse the local governmental unit for the amount of any
19 assistance received by the household under this subsection
20 (b).

21 (2) Assistance under this subsection (b) may be in the
22 form of cash or vouchers. The amount of assistance provided to
23 a household in any month under this subsection (b) shall not
24 exceed the maximum amount payable under Section 6-2.

25 (3) No assistance shall be provided to a household after
26 it receives a determination of its application to FEMA or SBA

1 for assistance.

2 (4) A household which has received assistance under this
3 subsection (b) shall reimburse the local governmental unit in
4 full for any assistance received under this subsection. If the
5 household receives assistance from FEMA or SBA in the form of
6 loans or grants, the household shall reimburse the local
7 governmental unit from those funds. If the household's request
8 for assistance is denied or rejected by the FEMA or SBA, the
9 household shall repay the local governmental unit in
10 accordance with a repayment schedule prescribed by the local
11 governmental unit.

12 (c) (1) A local governmental unit may provide assistance
13 to households for structural repairs to homes or for repair or
14 replacement of home electrical or heating systems, bedding and
15 food refrigeration equipment. To qualify for assistance a
16 household shall submit to the local governmental unit:
17 (A) such application as the local governmental unit may
18 require; (B) a copy of claim to an insurance company for
19 reimbursement for the damage or loss for which assistance is
20 sought; (C) such other proof of damage, loss or hardship as the
21 local governmental unit may require; and (D) an agreement to
22 reimburse the local governmental unit for the amount of any
23 assistance received by the household under this subsection
24 (c).

25 (2) Any assistance provided under this subsection (c)
26 shall be in the form of direct payments to vendors, and shall

1 not be made directly to a household. The total amount of
2 assistance provided to a household under this subsection (c)
3 shall not exceed \$1,500.

4 (3) No assistance shall be provided to a household after
5 it receives a determination of its insurance claims.

6 (4) A household which has received assistance under this
7 subsection (c) shall reimburse the local governmental unit in
8 full for any assistance received under this subsection. If the
9 household's insurance claim is approved, the household shall
10 reimburse the local governmental unit from the proceeds. If
11 the household's insurance claim is denied, the household shall
12 repay the local governmental unit in accordance with a
13 repayment schedule prescribed by the local governmental unit.

14 (Source: P.A. 85-1233.)

15 (305 ILCS 5/6-11.5 new)

16 Sec. 6-11.5. General assistance provided by a township. A
17 local governmental unit may provide assistance under its
18 General Assistance program under a service that complies with
19 Section 85-13 of the Township Code. Before a local government
20 provides assistance under this Section, the board of the local
21 government shall approve the expenditures of such assistance
22 in accordance with this Section.

23 (305 ILCS 5/6-12) (from Ch. 23, par. 6-12)

24 Sec. 6-12. General Assistance not funded by State. General

1 Assistance programs in local governments that do not receive
2 State funds shall continue to be governed by Sections 6-1
3 through 6-10, as applicable, as well as other relevant parts
4 of this Code and other laws. However, notwithstanding any
5 other provision of this Code, any unit of local government
6 that does not receive State funds may implement a General
7 Assistance program that complies with Section 6-11 and 6-11.5.
8 So long as the ~~that~~ program complies with either Section 6-11
9 or 6-11.5, the program shall not be deemed out of compliance
10 with or in violation of this Code.

11 (Source: P.A. 87-860.)