



Sen. Louis S. Viverito

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09300HB0690sam002

LRB093 05495 MKM 50804 a

1 AMENDMENT TO HOUSE BILL 690

2 AMENDMENT NO. _____. Amend House Bill 690, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Illinois Public Aid Code is amended by
6 changing Section 11-8 as follows:

7 (305 ILCS 5/11-8) (from Ch. 23, par. 11-8)

8 Sec. 11-8. Appeals - to whom taken. Applicants or
9 recipients of aid may, at any time within 60 days after the
10 decision of the County Department or local governmental unit,
11 as the case may be, appeal a decision denying or terminating
12 aid, or granting aid in an amount which is deemed inadequate,
13 or changing, cancelling, revoking or suspending grants as
14 provided in Section 11-16, or determining to make a protective
15 payment under the provisions of Sections 3-5a or 4-9, or a
16 decision by an administrative review board to impose
17 administrative safeguards as provided in Section 8A-8. An
18 appeal shall also lie when an application is not acted upon
19 within the time period after filing of the application as
20 provided by rule of the Illinois Department.

21 If an appeal is not made, the action of the County
22 Department or local governmental unit shall be final.

23 Appeals by applicants or recipients under Articles III, IV,
24 or V shall be taken to the Illinois Department.

1 Appeals by applicants or recipients under Article VI shall
2 be taken as follows:

3 (1) In counties under township organization (except
4 such counties in which the governing authority is a Board
5 of Commissioners) appeals shall be to a Public Aid
6 Committee consisting of the Chairman of the County Board,
7 and 4 members who are township supervisors of general
8 assistance, appointed by the Chairman, with the advice and
9 consent of the county board.

10 (2) In counties in excess of 3,000,000 population and
11 under township organization in which the governing
12 authority is a Board of Commissioners, appeals of persons
13 from government units outside the corporate limits of a
14 city, village or incorporated town of more than 500,000
15 population, and of persons from incorporated towns which
16 have superseded civil townships in respect to aid under
17 Article VI, shall be to the Cook County Townships Public
18 Aid Committee consisting of 2 township supervisors and 3
19 persons knowledgeable in the area of General Assistance and
20 the regulations of the Illinois Department pertaining
21 thereto and who are not officers, agents or employees of
22 any township, except that township supervisors may serve as
23 members of the Cook County Township Public Aid and
24 Committee. The 5 member committee shall be appointed by the
25 township supervisors. The first appointments shall be made
26 with one person serving a one year term, 2 persons serving
27 a 2 year term, and 2 persons serving a 3 year term.
28 Committee members shall thereafter serve 3 year terms. In
29 any appeal involving a local governmental unit whose
30 supervisor of general assistance is a member of the
31 Committee, such supervisor shall not act as a member of the
32 Committee for the purposes of such appeal, and the
33 Committee shall select another township supervisor to
34 serve as an alternate member for that appeal. The township

1 whose action, inaction, or decision is being appealed shall
2 bear the expenses related to the appeal as determined by
3 the Cook County Townships Public Aid Committee. A township
4 supervisor's compensation for general assistance or
5 township related duties shall not be considered an expense
6 related to the appeal except for expenses related to
7 service on the Committee.

8 (3) In counties described in paragraph (2) appeals of
9 persons from a city, village or incorporated town of more
10 than 500,000 population shall be to the Illinois
11 Department.

12 (4) In counties not under township organization,
13 appeals shall be to the County Board of Commissioners which
14 shall for this purpose be the Public Aid Committee of the
15 County.

16 In counties designated in paragraph (1) the Chairman or
17 President of the County Board shall appoint, with the advice
18 and consent of the county board, one or more alternate members
19 of the Public Aid Committee. All regular and alternate members
20 shall be Supervisors of General Assistance. In any appeal
21 involving a local governmental unit whose Supervisor of General
22 Assistance is a member of the Committee, he shall be replaced
23 for that appeal by an alternate member designated by the
24 Chairman or President of the County Board, with the advice and
25 consent of the county board. In these counties not more than 3
26 of the 5 regular appointees shall be members of the same
27 political party unless the political composition of the
28 Supervisors of the General Assistance precludes such a
29 limitation. In these counties at least one member of the Public
30 Aid Committee shall be a person knowledgeable in the area of
31 general assistance and the regulations of the Illinois
32 Department pertaining thereto. If no member of the Committee
33 possesses such knowledge, the Illinois Department shall
34 designate an employee of the Illinois Department having such

1 knowledge to be present at the Committee hearings to advise the
2 Committee.

3 In every county the County Board shall provide facilities
4 for the conduct of hearings on appeals under Article VI. All
5 expenses incident to such hearings shall be borne by the county
6 except that in counties under township organization in which
7 the governing authority is a Board of Commissioners (1) the
8 salary and other expenses of the Commissioner of Appeals shall
9 be paid from General Assistance funds available for
10 administrative purposes, and (2) all expenses incident to such
11 hearings shall be borne by the township and the per diem and
12 traveling expenses of the township supervisors serving on the
13 Public Aid Committee shall be fixed and paid by their
14 respective townships. In all other counties the members of the
15 Public Aid Committee shall receive the compensation and
16 expenses provided by law for attendance at meetings of the
17 County Board.

18 In appeals under Article VI involving a governmental unit
19 receiving State funds, the Public Aid Committee and the
20 Commissioner of Appeals shall be bound by the rules and
21 regulations of the Illinois Department which are relevant to
22 the issues on appeal, and shall file such reports concerning
23 appeals as the Illinois Department requests.

24 The members of each Public Aid Committee and the members of
25 the Cook County Townships Public Aid Committee are immune from
26 personal liability in connection with their service on the
27 committee to the same extent as an elected or appointed judge
28 in this State is immune from personal liability in connection
29 with the performance of his or her duties as judge.

30 An appeal shall be without cost to the appellant and shall
31 be made, at the option of the appellant, either upon forms
32 provided and prescribed by the Illinois Department or, for
33 appeals to a Public Aid Committee, upon forms prescribed by the
34 County Board; or an appeal may be made by calling a toll-free

1 number provided for that purpose by the Illinois Department and
2 providing the necessary information. The Illinois Department
3 may assist County Boards or a Commissioner of Appeals in the
4 preparation of appeal forms, or upon request of a County Board
5 or Commissioner of Appeals may furnish such forms. County
6 Departments and local governmental units shall render all
7 possible aid to persons desiring to make an appeal. The
8 provisions of Sections 11-8.1 to 11-8.7, inclusive, shall apply
9 to all such appeals.

10 (Source: P.A. 92-111, eff. 1-1-02; 93-295, eff. 7-22-03.)

11 Section 99. Effective date. This Act takes effect upon
12 becoming law."