

1 AN ACT in relation to public aid.

2 WHEREAS, The General Assembly finds that there has been  
3 only a single 5% general adjustment in the grant amounts  
4 under Article IV of the Illinois Public Aid Code, which was  
5 effective July 1, 2002, to reflect changes in the cost of  
6 subsistence needs since 1989; and

7 WHEREAS, The grant amounts have fallen far behind the  
8 cost of subsistence needs, especially the costs of private  
9 market housing, which have far outpaced the general increases  
10 in the cost of living; and

11 WHEREAS, The Temporary Assistance for Needy Families  
12 program under Article IV of the Illinois Public Aid Code is  
13 now a time-limited program with vigorous work activity  
14 requirements; and

15 WHEREAS, Many recipients are employed, and all of the  
16 unemployed recipients must pursue employment or activities  
17 directed at increasing their employability; and

18 WHEREAS, Stable housing is a crucial ingredient in the  
19 success of these efforts and the earliest possible exit from  
20 the program; and

21 WHEREAS, Inability to meet housing costs interferes with  
22 these work efforts and delays exit from the program, and,  
23 among families with difficult problem delaying their exit  
24 from the program, such as disabilities within the family, the  
25 inability to meet housing costs threatens their health and  
26 well-being; and

27 WHEREAS, The General Assembly finds that a crucial  
28 support for the welfare-to-work effort is a housing allowance  
29 for families participating in the Temporary Assistance for  
30 Needy Families program who do not receive a government  
31 housing subsidy or reside in public housing; therefore,

1 Be it enacted by the People of the State of Illinois,  
2 represented in the General Assembly:

3 Section 5. The Illinois Public Aid Code is amended by  
4 changing Section 12-4.11 as follows:

5 (305 ILCS 5/12-4.11) (from Ch. 23, par. 12-4.11)

6 Sec. 12-4.11. Grant amounts. The Department, with due  
7 regard for and subject to budgetary limitations, shall  
8 establish grant amounts for each of the programs, by  
9 regulation. The grant amounts may vary by program, size of  
10 assistance unit and geographic area.

11 Effective July 1, 2003, the Department of Human Services  
12 shall establish a housing allowance to include in the grant  
13 amounts under Article IV of this Code. The housing allowance  
14 shall be provided in the grant amounts for families in each  
15 month as to which they do not reside in public housing or  
16 receive a governmental housing subsidy. Effective July 1,  
17 2003, the housing allowance shall be equal to 15% of the  
18 grant amounts effective on June 30, 2003. Effective July 1,  
19 2004, the Department shall increase the housing allowance by  
20 a further 15% of the grant amounts effective on June 30,  
21 2004.

22 Aid payments shall not be reduced except: (1) for changes  
23 in the cost of items included in the grant amounts, or (2)  
24 for changes in the expenses of the recipient, or (3) for  
25 changes in the income or resources available to the  
26 recipient, or (4) for changes in grants resulting from  
27 adoption of a consolidated grant amount.

28 In fixing standards to govern payments or reimbursements  
29 for funeral and burial expenses, the Department shall  
30 establish a minimum allowable amount of not less than \$1,000

1 for Department payment of funeral services and not less than  
2 \$500 for Department payment of burial or cremation services.  
3 In establishing the minimum allowable amount, the Department  
4 shall take into account the services essential to a  
5 dignified, low-cost (i) funeral and (ii) burial or cremation,  
6 including reasonable amounts that may be necessary for burial  
7 space and cemetery charges, and any applicable taxes or other  
8 required governmental fees or charges. If no person has  
9 agreed to pay the total cost of the (i) funeral and (ii)  
10 burial or cremation charges, the Department shall pay the  
11 vendor the actual costs of the (i) funeral and (ii) burial or  
12 cremation, or the minimum allowable amount for each service  
13 as established by the Department, whichever is less, provided  
14 that the Department reduces its payments by the amount  
15 available from the following sources: the decedent's assets  
16 and available resources and the anticipated amounts of any  
17 death benefits available to the decedent's estate, and  
18 amounts paid and arranged to be paid by the decedent's  
19 legally responsible relatives. A legally responsible relative  
20 is expected to pay (i) funeral and (ii) burial or cremation  
21 expenses unless financially unable to do so.

22 Nothing contained in this Section or in any other Section  
23 of this Code shall be construed to prohibit the Illinois  
24 Department (1) from consolidating existing standards on the  
25 basis of any standards which are or were in effect on, or  
26 subsequent to July 1, 1969, or (2) from employing any  
27 consolidated standards in determining need for public aid and  
28 the amount of money payment or grant for individual  
29 recipients or recipient families.

30 (Source: P.A. 91-24, eff. 7-1-99; 92-419, eff. 1-1-02.)

31 Section 99. Effective date. This Act takes effect on  
32 July 1, 2003.