



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB0760

Introduced 2/1/2005, by Rep. Robert Rita

SYNOPSIS AS INTRODUCED:

305 ILCS 5/12-4.11

from Ch. 23, par. 12-4.11

Amends the Illinois Public Aid Code. Provides that beginning July 1, 2005, the Department of Human Services shall annually increase the minimum reimbursement amount for funeral and burial expenses required under the Code by a percentage equal to the percentage increase, if any, in the Consumer Price Index for All Urban Consumers during the preceding 12 months. Effective immediately.

LRB094 07853 DRJ 38034 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT in relation to funeral expenses.

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 12-4.11 as follows:

6 (305 ILCS 5/12-4.11) (from Ch. 23, par. 12-4.11)

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

12 Aid payments shall not be reduced except: (1) for changes
13 in the cost of items included in the grant amounts, or (2) for
14 changes in the expenses of the recipient, or (3) for changes in
15 the income or resources available to the recipient, or (4) for
16 changes in grants resulting from adoption of a consolidated
17 grant amount.

18 In fixing standards to govern payments or reimbursements
19 for funeral and burial expenses, the Department shall establish
20 a minimum allowable amount of not less than \$1,000 for
21 Department payment of funeral services and not less than \$500
22 for Department payment of burial or cremation services. On July
23 1, 2005 and on each July 1 thereafter, the Department shall
24 increase the minimum reimbursement amount for funeral and
25 burial expenses under this Section by a percentage equal to the
26 percentage increase in the Consumer Price Index for All Urban
27 Consumers, if any, during the 12 months immediately preceding
28 that July 1. In establishing the minimum allowable amount, the
29 Department shall take into account the services essential to a
30 dignified, low-cost (i) funeral and (ii) burial or cremation,
31 including reasonable amounts that may be necessary for burial
32 space and cemetery charges, and any applicable taxes or other

1 required governmental fees or charges. If no person has agreed
2 to pay the total cost of the (i) funeral and (ii) burial or
3 cremation charges, the Department shall pay the vendor the
4 actual costs of the (i) funeral and (ii) burial or cremation,
5 or the minimum allowable amount for each service as established
6 by the Department, whichever is less, provided that the
7 Department reduces its payments by the amount available from
8 the following sources: the decedent's assets and available
9 resources and the anticipated amounts of any death benefits
10 available to the decedent's estate, and amounts paid and
11 arranged to be paid by the decedent's legally responsible
12 relatives. A legally responsible relative is expected to pay
13 (i) funeral and (ii) burial or cremation expenses unless
14 financially unable to do so.

15 Nothing contained in this Section or in any other Section
16 of this Code shall be construed to prohibit the Illinois
17 Department (1) from consolidating existing standards on the
18 basis of any standards which are or were in effect on, or
19 subsequent to July 1, 1969, or (2) from employing any
20 consolidated standards in determining need for public aid and
21 the amount of money payment or grant for individual recipients
22 or recipient families.

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

24 Section 99. Effective date. This Act takes effect upon
25 becoming law.