

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
23 January 1, 2006, July 1, 2006, and July 1, 2007, the Department
24 shall 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 January 1 or July 1. In establishing the minimum allowable
29 amount, the Department shall take into account the services
30 essential to a dignified, low-cost (i) funeral and (ii) burial
31 or cremation, including reasonable amounts that may be
32 necessary for burial space and cemetery charges, and any

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

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

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

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