



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB2436

Introduced 2/19/2009, 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 for minimum allowable amounts of \$1,103 (instead of \$1,000) for funeral services and \$552 (instead of \$500) for burial or cremation services. Provides that on July 1, 2009 and each July 1 thereafter, the Department of Human Services shall increase the minimum reimbursement amount for funeral and burial expenses under the Code by a percentage equal to the percentage increase in the Consumer Price Index for All Urban Consumers, if any, during the 12 months immediately preceding that July 1. Effective immediately.

LRB096 04146 DRJ 18477 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 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. Beginning July 1, 2008, the Department of Human
18 Services shall increase TANF grant amounts in effect on June
19 30, 2008 by 9%.

20 In fixing standards to govern payments or reimbursements
21 for funeral and burial expenses, the Department shall establish
22 a minimum allowable amount of not less than \$1,103 ~~\$1,000~~ for
23 Department payment of funeral services and not less than \$552

1 ~~\$500~~ for Department payment of burial or cremation services. On
2 ~~January 1, 2006,~~ July 1, 2009 and each July 1 thereafter ~~2006,~~
3 ~~and July 1, 2007,~~ the Department shall increase the minimum
4 reimbursement amount for funeral and burial expenses under this
5 Section by a percentage equal to the percentage increase in the
6 Consumer Price Index for All Urban Consumers, if any, during
7 the 12 months immediately preceding that ~~January 1 or~~ July 1.
8 In establishing the minimum allowable amount, the Department
9 shall take into account the services essential to a dignified,
10 low-cost (i) funeral and (ii) burial or cremation, including
11 reasonable amounts that may be necessary for burial space and
12 cemetery charges, and any applicable taxes or other required
13 governmental fees or charges. If no person has agreed to pay
14 the total cost of the (i) funeral and (ii) burial or cremation
15 charges, the Department shall pay the vendor the actual costs
16 of the (i) funeral and (ii) burial or cremation, or the minimum
17 allowable amount for each service as established by the
18 Department, whichever is less, provided that the Department
19 reduces its payments by the amount available from the following
20 sources: the decedent's assets and available resources and the
21 anticipated amounts of any death benefits available to the
22 decedent's estate, and amounts paid and arranged to be paid by
23 the decedent's legally responsible relatives. A legally
24 responsible relative is expected to pay (i) funeral and (ii)
25 burial or cremation expenses unless financially unable to do
26 so.

1 Nothing contained in this Section or in any other Section
2 of this Code shall be construed to prohibit the Illinois
3 Department (1) from consolidating existing standards on the
4 basis of any standards which are or were in effect on, or
5 subsequent to July 1, 1969, or (2) from employing any
6 consolidated standards in determining need for public aid and
7 the amount of money payment or grant for individual recipients
8 or recipient families.

9 (Source: P.A. 94-669, eff. 8-23-05; 95-744, eff. 7-18-08.)

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