

# HB5268



## 97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB5268

Introduced 2/8/2012, by Rep. Esther Golar

### SYNOPSIS AS INTRODUCED:

310 ILCS 10/8.22

Amends the Housing Authorities Act. Makes a technical change in a Section concerning the determination of a tenant's income for the purpose of determining rent.

LRB097 19325 KTG 64574 b

A BILL FOR

1 AN ACT concerning housing.

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

4 Section 5. The Housing Authorities Act is amended by  
5 changing Section 8.22 as follows:

6 (310 ILCS 10/8.22)

7 Sec. 8.22. Determination of income.

8 (a) Exclusions from income. In determining the ~~the~~ income  
9 of a tenant for the purpose of determining rent, the Housing  
10 Authority shall exclude the following as provided in subsection  
11 (b):

12 (i) The amount of any income received by the tenant as  
13 a result of anti-drug, anti-crime, and related security  
14 initiatives conducted by the Housing Authority. Any  
15 activities or income excluded under this subdivision (i)  
16 must first be certified by the Housing Authority.

17 (ii) Any income earned by a tenant during the first 12  
18 months of employment which follow a period of unemployment  
19 of 12 or more consecutive months if:

20 (A) a period of unemployment of 12 or more  
21 consecutive months or the income received within the 12  
22 months prior to employment is less than 10 hours of  
23 work per week at the established minimum wage; or

1 (B) the income earned during those 12 months is  
2 received as a result of the tenant's participation in  
3 any economic self-sufficiency or other job training  
4 program; or

5 (C) the income earned during those 12 months is  
6 earned by a tenant due to new employment or increased  
7 earnings, during or within 6 months after receiving  
8 assistance under a State program for temporary  
9 assistance for needy families funded under Part A of  
10 Title IV of the Social Security Act (42 U.S.C. 601 and  
11 following), provided that the total amount of earned  
12 income received by the tenant within the previous 6  
13 months was at least \$500.

14 (b) Procedure for excluding income.

15 (i) Initial 12-month exclusion. Beginning on the first  
16 date the tenant is employed or the first date the tenant's  
17 family experiences an increase in annual income as  
18 determined under subdivision (a)(ii) of this Section, the  
19 Housing Authority must exclude the increase in annual  
20 income for each month in which the increase is received,  
21 but not for more than 12 months.

22 (ii) Second 12-month exclusion and phase-out. After  
23 the initial 12-month exclusion period under subdivision  
24 (b)(i) of this Section, the Housing Authority must exclude,  
25 for each month in which the increase in income is received,  
26 but not for more than 12 months, 50% of the increase in the

1 annual income that is received due to the tenant's  
2 employment or the tenant's family experiencing an increase  
3 in annual income under subdivision (a) (ii).

4 (iii) Maximum 48-month period for exclusions. The  
5 exclusion of increases in income of an individual family  
6 member as provided in subdivision (b) (i) or (b) (ii) of this  
7 Section is limited to a lifetime 48-month period. The  
8 exclusion applies for a maximum of 12 months for the  
9 exclusion under subdivision (b) (i) and a maximum of 12  
10 months for the exclusion under subdivision (b) (ii), during  
11 the 48-month period starting with the beginning of the  
12 initial exclusion period under subdivision (b) (i), which  
13 immediately follows 12 or more months of unemployment.

14 (c) Inapplicability of income exclusions to admission  
15 process. The exclusion of increases in income as a result of  
16 employment under this Section for the purpose of determining  
17 rent does not apply for purposes of determining eligibility for  
18 admission to the program (including determinations of income  
19 eligibility and income targeting).

20 (d) Inapplicability of income exclusions to the HOME  
21 Investment Partnership Program, Housing Opportunities for  
22 Persons with AIDS, the Supportive Housing Program, and the  
23 Housing Choice Voucher Program. The exclusion of increases in  
24 income as a result of employment as provided under subsections  
25 (a) and (b) of this Section is not applicable to the following  
26 programs: the HOME Investment Partnership Program, Housing

1 Opportunities for Persons with AIDS, the Supportive Housing  
2 Program, and the Housing Choice Voucher Program, except for a  
3 tenant family member who is a person with disabilities as  
4 defined in 42 U.S.C. 423.

5 (Source: P.A. 97-246, eff. 8-4-11.)