

1                                    AMENDMENT TO HOUSE BILL 31

2            AMENDMENT NO. \_\_\_\_\_. Amend House Bill 31 by replacing the  
3 title with the following:

4            "AN ACT in relation to public aid."; and

5 by replacing everything after the enacting clause with the  
6 following:

7            "Section 5. The State Finance Act is amended by changing  
8 Section 6z-43 as follows:

9            (30 ILCS 105/6z-43)

10           Sec. 6z-43. Tobacco Settlement Recovery Fund.

11           (a) There is created in the State Treasury a special  
12 fund to be known as the Tobacco Settlement Recovery Fund,  
13 into which shall be deposited all monies paid to the State  
14 pursuant to (1) the Master Settlement Agreement entered in  
15 the case of People of the State of Illinois v. Philip Morris,  
16 et al. (Circuit Court of Cook County, No. 96-L13146) and (2)  
17 any settlement with or judgment against any tobacco product  
18 manufacturer other than one participating in the Master  
19 Settlement Agreement in satisfaction of any released claim as  
20 defined in the Master Settlement Agreement, as well as any  
21 other monies as provided by law. All earnings on Fund

1 investments shall be deposited into the Fund. Upon the  
 2 creation of the Fund, the State Comptroller shall order the  
 3 State Treasurer to transfer into the Fund any monies paid to  
 4 the State as described in item (1) or (2) of this Section  
 5 before the creation of the Fund plus any interest earned on  
 6 the investment of those monies. The Treasurer may invest the  
 7 moneys in the Fund in the same manner, in the same types of  
 8 investments, and subject to the same limitations provided in  
 9 the Illinois Pension Code for the investment of pension funds  
 10 other than those established under Article 3 or 4 of the  
 11 Code.

12 (a-5) In addition to any other use authorized by law,  
 13 moneys in the Tobacco Settlement Recovery Fund may be  
 14 appropriated for use in funding personal needs allowances for  
 15 institutionalized persons under Section 5-23 of the Illinois  
 16 Public Aid Code.

17 (b) As soon as may be practical after June 30, 2001, the  
 18 State Comptroller shall direct and the State Treasurer shall  
 19 transfer the unencumbered balance in the Tobacco Settlement  
 20 Recovery Fund as of June 30, 2001 into the Budget  
 21 Stabilization Fund. The Treasurer may invest the moneys in  
 22 the Budget Stabilization Fund in the same manner, in the same  
 23 types of investments, and subject to the same limitations  
 24 provided in the Illinois Pension Code for the investment of  
 25 pension funds other than those established under Article 3 or  
 26 4 of the Code.

27 (Source: P.A. 91-646, eff. 11-19-99; 91-704, eff. 7-1-00;  
 28 91-797, eff. 6-9-00; revised 6-28-00.)

29 Section 10. The Illinois Public Aid Code is amended by  
 30 adding Section 5-23 as follows:

31 (305 ILCS 5/5-23 new)

32 Sec. 5-23. Personal needs allowance. For a person who is

1 an inpatient in an institution or facility for which payments  
2 are made under this Article throughout a month and who is  
3 determined to be eligible for medical assistance under this  
4 Article, the State shall pay an amount in addition to the  
5 minimum monthly personal needs allowance authorized under  
6 Section 1902(q) of Title XIX of the Social Security Act (42  
7 U.S.C. 1396a(q)), so that the person's total monthly personal  
8 needs allowance from both State and federal sources equals  
9 \$50. The additional amount paid by the State shall be paid  
10 from amounts appropriated for that purpose from the Tobacco  
11 Settlement Recovery Fund.

12 Section 99. Effective date. This Act takes effect upon  
13 becoming law."