

1 AN ACT in relation to homeless persons.

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

4 Section 5. The Shelter Residents Protection Act is
5 amended by changing Section 5 as follows:

6 (310 ILCS 80/5)

7 Sec. 5. Homeless persons; savings.

8 (a) If a homeless person resides at a shelter, that
9 person may open a passbook savings account at a bank or
10 savings and loan association subject to the requirements
11 imposed by the bank or savings and loan association. In the
12 alternative, the homeless person may enter into a written
13 agreement with the shelter in which he or she resides; the
14 agreement may provide that the shelter will accept and hold
15 moneys belonging to the homeless person. Under such an
16 agreement, the shelter must ~~shall~~ do the following:

17 (1) Place the moneys in a non-interest bearing
18 account for the homeless person, at no cost to that
19 person.

20 (2) Segregate, from all other moneys or accounts
21 held or maintained by the shelter, moneys accepted from
22 and held for homeless persons.

23 (3) Maintain, separately for each homeless person
24 with whom an agreement is made under this Section, an
25 accurate accounting of the moneys accepted from, held
26 for, and withdrawn by that person. Upon a homeless
27 person's request, the shelter shall provide a copy of the
28 accounting concerning that person's moneys.

29 (4) Pay to the homeless person, within 48 hours
30 after the person's request, the amount of the person's
31 moneys held by the shelter or any lesser amount requested

1 by the homeless person.

2 (b) Money held by a shelter under this Section shall not
3 be subject to assignment, attachment, garnishment, set-off,
4 or other process in aid of creditors.

5 (c) For purposes of this Section, "homeless person"
6 means either of the following:

7 (1) An individual who lacks a fixed, regular, and
8 adequate nighttime residence; or

9 (2) An individual who has a primary nighttime
10 residence that is any of the following:

11 (A) A supervised publicly or privately
12 operated shelter designed to provide temporary
13 living accommodations (including welfare hotels,
14 congregate shelters, and transitional housing for
15 the mentally ill).

16 (B) An institution that provides a temporary
17 residence for individuals intended to be
18 institutionalized.

19 (C) A public or private place not designed
20 for, or ordinarily used as, a regular sleeping
21 accommodation for human beings.

22 (Source: P.A. 87-1093.)