

1 AN ACT concerning senior citizens and disabled persons.

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

4 Section 5. The Senior Citizens and Disabled Persons
5 Property Tax Relief and Pharmaceutical Assistance Act is
6 amended by changing Sections 3.07 and 5 and by adding Section
7 4.1 as follows:

8 (320 ILCS 25/3.07) (from Ch. 67 1/2, par. 403.07)

9 Sec. 3.07. "Income" means adjusted gross income,
10 properly reportable for federal income tax purposes under the
11 provisions of the Internal Revenue Code, modified by adding
12 thereto the sum of the following amounts to the extent
13 deducted or excluded from gross income in the computation of
14 adjusted gross income:

15 (A) An amount equal to all amounts paid or accrued
16 as interest or dividends during the taxable year;

17 (B) An amount equal to the amount of tax imposed by
18 the Illinois Income Tax Act paid for the taxable year;

19 (C) An amount equal to all amounts received during
20 the taxable year as an annuity under an annuity,
21 endowment or life insurance contract or under any other
22 contract or agreement;

23 (D) An amount equal to the amount of benefits paid
24 under the Federal Social Security Act during the taxable
25 year;

26 (E) An amount equal to the amount of benefits paid
27 under the Railroad Retirement Act during the taxable
28 year;

29 (F) An amount equal to the total amount of cash
30 public assistance payments received from any governmental
31 agency during the taxable year other than benefits

1 received pursuant to this Act;

2 (G) An amount equal to any net operating loss
3 carryover deduction or capital loss carryover deduction
4 during the taxable year.

5 (H) For claim years beginning on or after January
6 1, 2002, an amount equal to any benefits received under
7 the Workers' Compensation Act or the Workers' Occupational
8 Diseases Act during the taxable year.

9 "Income" does not include any grant assistance received
10 under the Nursing Home Grant Assistance Act or any
11 distributions or items of income described under subparagraph
12 (X) of paragraph (2) of subsection (a) of Section 203 of the
13 Illinois Income Tax Act.

14 This amendatory Act of 1987 shall be effective for
15 purposes of this Section for tax years ending on or after
16 December 31, 1987.

17 (Source: P.A. 90-491, eff. 1-1-98; 91-676, eff. 12-23-99.)

18 (320 ILCS 25/4.1 new)

19 Sec. 4.1. Information to the Department.
20 Notwithstanding any other law to the contrary, entities
21 subject to the Illinois Insurance Code, Comprehensive Health
22 Insurance Plan Act, Dental Service Plan Act, Children's
23 Health Insurance Program Act, Health Care Purchasing Group
24 Act, Health Maintenance Organization Act, Limited Health
25 Service Organization Act, Voluntary Health Services Plans
26 Act, and the Workers' Compensation Act, including, but not
27 limited to, insurers, health maintenance organizations,
28 pharmacy benefit managers, third party administrators,
29 fraternal benefit societies, group-funded workers'
30 compensation pools, municipal group-funded pools, self-funded
31 or self-insured welfare or benefit plans or programs, and any
32 other entities that provide health coverage through an
33 employer, union, trade association or other organization or

1 source, or any other entities, must provide information to
2 the Department, or its designee, that is necessary to carry
3 out the purposes of this Act, including, but not limited to,
4 the name, social security number, address, date of birth, and
5 coverage of their policyholders, their subscribers, or the
6 beneficiaries of their plans, benefits, or services who
7 participate in the programs under this Act. The provision of
8 this information to the Department or its designee is subject
9 to the confidentiality provisions in Section 8a of this Act.

10 (320 ILCS 25/5) (from Ch. 67 1/2, par. 405)

11 Sec. 5. Procedure.

12 (a) In general. Claims must be filed after January 1,
13 on forms prescribed by the Department. No claim may be filed
14 more than one year after December 31 of the year for which
15 the claim is filed except that claims for 1976 may be filed
16 until December 31, 1978. The pharmaceutical assistance
17 identification card provided for in subsection (f) of Section
18 4 shall be valid for a period of not less than ~~to-exceed~~ one
19 year.

20 (b) Claim is Personal. The right to file a claim under
21 this Act shall be personal to the claimant and shall not
22 survive his death, but such right may be exercised on behalf
23 of a claimant by his legal guardian or attorney-in-fact. If
24 a claimant dies after having filed a timely claim, the amount
25 thereof shall be disbursed to his surviving spouse or, if no
26 spouse survives, to his surviving dependent minor children in
27 equal parts, provided the spouse or child, as the case may
28 be, resided with the claimant at the time he filed his claim.
29 If at the time of disbursement neither the claimant nor his
30 spouse is surviving, and no dependent minor children of the
31 claimant are surviving the amount of the claim shall escheat
32 to the State.

33 (c) One claim per household. Only one member of a

1 household may file a claim under this Act in any calendar
2 year; where both members of a household are otherwise
3 entitled to claim a grant under this Act, they must agree as
4 to which of them will file a claim for that year.

5 (d) Content of application form. The form prescribed by
6 the Department for purposes of paragraph (a) shall include a
7 table, appropriately keyed to the parts of the form on which
8 the claimant is required to furnish information, which will
9 enable the claimant to determine readily the approximate
10 amount of grant to which he is entitled by relating levels of
11 household income to property taxes accrued or rent
12 constituting property taxes accrued.

13 (e) Pharmaceutical Assistance Procedures. The
14 Department shall establish the form and manner for
15 application, and establish by January 1, 1986 a procedure to
16 enable persons to apply for the additional grant or for the
17 pharmaceutical assistance identification card on the same
18 application form. The Department shall determine eligibility
19 for pharmaceutical assistance using the applicant's current
20 income. The Department shall determine a person's current
21 income in the manner provided by the Department by rule.

22 (Source: P.A. 91-533, eff. 8-13-99; 91-699, eff. 1-1-01.)