

1 AN ACT in relation to public aid.

2 WHEREAS, The General Assembly finds that there has been  
3 no general adjustment in the grant amounts under Article IV  
4 of the Illinois Public Aid Code to reflect changes in the  
5 cost of subsistence needs since 1989. The grant amounts have  
6 fallen far behind the cost of subsistence needs. The  
7 Temporary Assistance for Needy Families program under Article  
8 IV of the Illinois Public Aid Code is now a time-limited  
9 program with vigorous work activity requirements.  
10 Participants in the program need to be able to meet their  
11 subsistence needs while they pursue work activities and  
12 endeavor to exit the program as quickly as possible.  
13 Inability to meet subsistence needs interferes with these  
14 work efforts and delays exit from the program, and, among  
15 families with difficult problems inhibiting the ability to  
16 work, such as disabilities within the family, the inability  
17 to meet subsistence needs also threatens their health and  
18 well-being; therefore,

19 Be it enacted by the People of the State of Illinois,  
20 represented in the General Assembly:

21 Section 5. The Illinois Public Aid Code is amended by  
22 changing Section 12-4.11 as follows:

23 (305 ILCS 5/12-4.11) (from Ch. 23, par. 12-4.11)

24 Sec. 12-4.11. Grant amounts. The Department, with due  
25 regard for and subject to budgetary limitations, shall  
26 establish grant amounts for each of the programs, by  
27 regulation. The grant amounts may vary by program, size of  
28 assistance unit and geographic area. Effective July 1, 2002,  
29 the Department shall increase the grant amounts under Article  
30 IV of this Code by no less than 15% above the amounts in  
31 effect on June 30, 2002. Effective July 1, 2003 and each

1 July 1 thereafter, the Department shall increase the grant  
 2 amounts under Article IV of this Code by no less than the  
 3 increase in the "Employment Cost Index, Wages and Salaries,  
 4 By Occupation and Industry Groups: State and Local Government  
 5 Workers: Public Administration" as published by the Bureau of  
 6 Labor Statistics of the U.S. Department of Labor for the  
 7 calendar year immediately preceding the year in which the  
 8 July 1 grant amount increase takes effect. On January 1,  
 9 2005, and on January 1 every 2 years thereafter, the  
 10 Department shall issue a report to the Governor and the  
 11 General Assembly on the adequacy of grant amounts under  
 12 Article IV to meet the subsistence needs of the families  
 13 participating in that program.

14       Aid payments shall not be reduced except: (1) for changes  
 15 in the cost of items included in the grant amounts, or (2)  
 16 for changes in the expenses of the recipient, or (3) for  
 17 changes in the income or resources available to the  
 18 recipient, or (4) for changes in grants resulting from  
 19 adoption of a consolidated grant amount.

20       In fixing standards to govern payments or reimbursements  
 21 for funeral and burial expenses, the Department shall  
 22 establish a minimum allowable amount of not less than \$1,000  
 23 for Department payment of funeral services and not less than  
 24 \$500 for Department payment of burial or cremation services.  
 25 In establishing the minimum allowable amount, the Department  
 26 shall take into account the services essential to a  
 27 dignified, low-cost (i) funeral and (ii) burial or cremation,  
 28 including reasonable amounts that may be necessary for burial  
 29 space and cemetery charges, and any applicable taxes or other  
 30 required governmental fees or charges. If no person has  
 31 agreed to pay the total cost of the (i) funeral and (ii)  
 32 burial or cremation charges, the Department shall pay the  
 33 vendor the actual costs of the (i) funeral and (ii) burial or  
 34 cremation, or the minimum allowable amount for each service

1 as established by the Department, whichever is less, provided  
2 that the Department reduces its payments by the amount  
3 available from the following sources: the decedent's assets  
4 and available resources and the anticipated amounts of any  
5 death benefits available to the decedent's estate, and  
6 amounts paid and arranged to be paid by the decedent's  
7 legally responsible relatives. A legally responsible relative  
8 is expected to pay (i) funeral and (ii) burial or cremation  
9 expenses unless financially unable to do so.

10 Nothing contained in this Section or in any other Section  
11 of this Code shall be construed to prohibit the Illinois  
12 Department (1) from consolidating existing standards on the  
13 basis of any standards which are or were in effect on, or  
14 subsequent to July 1, 1969, or (2) from employing any  
15 consolidated standards in determining need for public aid and  
16 the amount of money payment or grant for individual  
17 recipients or recipient families.

18 (Source: P.A. 91-24, eff. 7-1-99; 92-419, eff. 1-1-02.)

19 Section 99. Effective date. This Act takes effect on  
20 July 1, 2002.