



## 103RD GENERAL ASSEMBLY

### State of Illinois

### 2023 and 2024

#### HB3424

Introduced 2/17/2023, by Rep. Kevin John Olickal

#### SYNOPSIS AS INTRODUCED:

60 ILCS 1/85-13	
305 ILCS 5/1-10	
305 ILCS 5/6-9	from Ch. 23, par. 6-9
305 ILCS 5/6-11a new	
305 ILCS 5/6-12	from Ch. 23, par. 6-12

Amends the Township Code. Provides that a township's board may either expend funds directly or may enter into any cooperative agreement or contract with specified entities to provide its residents with health services, including mental, behavioral, eye, dental, or other healthcare. Provides that the township board may approve the application of a different, publicly available, professional or academically recognized standard of need in determining eligibility for subsidized day care. Amends the Illinois Public Aid Code. Provides that persons shall not be determined ineligible for case assistance under the General Assistance Article of the Code based upon a conviction for any drug-related felony under State or federal law. In provisions concerning the General Assistance program, permits a local government unit to provide assistance to households under its General Assistance program following a disaster proclamation issued by the Governor if the local governmental unit is within the area designated under the proclamation. Provides that a local governmental unit may provide assistance under its General Assistance program under a service that complies with specified provisions of the Township Code. Provides that before a local government provides assistance, the board of the local government shall approve the expenditures of such assistance.

LRB103 27315 KTG 53686 b

1 AN ACT concerning public aid.

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

4 Section 5. The Township Code is amended by changing  
5 Section 85-13 as follows:

6 (60 ILCS 1/85-13)

7 Sec. 85-13. Township services, generally.

8 (a) The township board may either expend funds directly or  
9 may enter into any cooperative agreement or contract with any  
10 other governmental entity, not-for-profit corporation,  
11 non-profit community service association, or any for-profit  
12 business entity as provided in subsection (b) with respect to  
13 the expenditure of township funds, or funds made available to  
14 the township under the federal State and Local Fiscal  
15 Assistance Act of 1972, to provide any of the following  
16 services to the residents of the township:

17 (1) Ordinary and necessary maintenance and operating  
18 expenses for the following:

19 (A) Public safety (including law enforcement, fire  
20 protection, and building code enforcement).

21 (B) Environmental protection (including sewage  
22 disposal, sanitation, and pollution abatement).

23 (C) Public transportation (including transit

1 systems, paratransit systems, and streets and roads).

2 (D) Health, including mental, behavioral, eye,  
3 dental, or other healthcare.

4 (E) Recreation.

5 (F) Libraries.

6 (G) Social services for the poor and aged.

7 (2) Ordinary and necessary capital expenditures  
8 authorized by law.

9 (3) Development and retention of business, industrial,  
10 manufacturing, and tourist facilities within the township.

11 (b) To be eligible to receive funds from the township  
12 under this Section, a private not-for-profit corporation or  
13 community service association shall have been in existence at  
14 least one year before receiving the funds. The township board  
15 may, however, for the purpose of providing day care services,  
16 contract with day care facilities licensed under the Child  
17 Care Act of 1969, regardless of whether the facilities are  
18 organized on a for-profit or not-for-profit basis.

19 (c) Township governments that directly expend or contract  
20 for day care shall use the standard of need established by the  
21 Department of Children and Family Services in determining  
22 recipients of subsidized day care and shall use the rate  
23 schedule used by the Department of Children and Family  
24 Services for the purchase of subsidized day care.  
25 Notwithstanding the preceding sentence, the township board may  
26 approve the application of a different, publicly available,

1 professional or academically recognized standard of need in  
2 determining eligibility for subsidized day care.

3 (d) Township governments that directly expend or contract  
4 for senior citizen services may contract with for-profit (or  
5 not-for-profit) and non-sectarian organizations as provided in  
6 Sections 220-15 and 220-35.

7 (e) Those township supervisors or other elected township  
8 officials who are also members of a county board shall not vote  
9 on questions before the township board or the county board  
10 that relate to agreements or contracts between the township  
11 and the county under this Section or agreements or contracts  
12 between the township and the county that are otherwise  
13 authorized by law.

14 (f) The township board may enter into direct agreements  
15 with for-profit corporations or other business entities to  
16 carry out recycling programs in unincorporated areas of the  
17 township.

18 The township board may by ordinance administer a recycling  
19 program or adopt rules and regulations relating to recycling  
20 programs in unincorporated areas of the township that it from  
21 time to time deems necessary and may provide penalties for  
22 violations of those rules and regulations.

23 (g) For purposes of alleviating high unemployment,  
24 economically depressed conditions, and lack of moderately  
25 priced housing, the trustees of a township that includes all  
26 or a portion of a city that is a "financially distressed city"

1 under the Financially Distressed City Law may contract with  
2 one or more not-for-profit or for-profit organizations to  
3 construct and operate within the boundaries of the township a  
4 factory designed to manufacture housing or housing components.  
5 The contract may provide for the private organization or  
6 organizations to manage some or all operations of the factory  
7 and may provide for (i) payment of employee compensation and  
8 taxes; (ii) discharge of other legal responsibilities; (iii)  
9 sale of products; (iv) disposition of the factory, equipment,  
10 and other property; and (v) any other matters the township  
11 trustees consider reasonable.

12 (Source: P.A. 95-119, eff. 8-13-07.)

13 Section 10. The Illinois Public Aid Code is amended by  
14 changing Sections 1-10, 6-9, and 6-12 and by adding Section  
15 6-11a as follows:

16 (305 ILCS 5/1-10)

17 Sec. 1-10. Drug convictions.

18 (a) Persons convicted of an offense under the Illinois  
19 Controlled Substances Act, the Cannabis Control Act, or the  
20 Methamphetamine Control and Community Protection Act which is  
21 a Class X felony, or a Class 1 felony, or comparable federal  
22 criminal law which has as an element the possession, use, or  
23 distribution of a controlled substance, as defined in Section  
24 102(6) of the federal Controlled Substances Act (21 U.S.C.

1 802(c)), shall not be eligible for cash assistance provided  
2 under this Code.

3 (b) Persons convicted of any other felony under the  
4 Illinois Controlled Substances Act, the Cannabis Control Act,  
5 or the Methamphetamine Control and Community Protection Act  
6 which is not a Class X or Class 1 felony, or comparable federal  
7 criminal law which has as an element the possession, use, or  
8 distribution of a controlled substance, as defined in Section  
9 102(6) of the federal Controlled Substances Act (21 U.S.C.  
10 802(c)), shall not be eligible for cash assistance provided  
11 under this Code for 2 years from the date of conviction. This  
12 prohibition shall not apply if the person is in a drug  
13 treatment program, aftercare program, or similar program as  
14 defined by rule.

15 (c) Persons shall not be determined ineligible for food  
16 stamps provided under this Code based upon a conviction of any  
17 felony or comparable federal or State criminal law which has  
18 an element the possession, use or distribution of a controlled  
19 substance, as defined in Section 102(6) of the federal  
20 Controlled Substances Act (21 U.S.C. 802(c)).

21 (d) Notwithstanding any other provision of this Section to  
22 the contrary, persons shall not be determined ineligible for  
23 cash assistance provided under Article IV or Article VI of  
24 this Code based upon a conviction for any drug-related felony  
25 under State or federal law.

26 (Source: P.A. 102-178, eff. 10-30-21.)

1 (305 ILCS 5/6-9) (from Ch. 23, par. 6-9)

2 Sec. 6-9. (a) (1) A local governmental unit may provide  
3 assistance to households under its General Assistance program  
4 following a declaration by the President of the United States  
5 of a major disaster or emergency pursuant to the Federal  
6 Disaster Relief Act of 1974, as now or hereafter amended, if  
7 the local governmental unit is within the area designated  
8 under the declaration. A local government unit may also  
9 provide assistance to households under its General Assistance  
10 program following a disaster proclamation issued by the  
11 Governor if the local governmental unit is within the area  
12 designated under the proclamation. Assistance under this  
13 Section may be provided to households which have suffered  
14 damage, loss or hardships as a result of the major disaster or  
15 emergency. Assistance under this Section may be provided to  
16 households without regard to the eligibility requirements and  
17 other requirements of this Code. Assistance under this Section  
18 may be provided only during the 90-day period following the  
19 date of declaration of a major disaster or emergency.

20 (2) A local governmental unit shall not use State funds to  
21 provide assistance under this Section. If a local governmental  
22 unit receives State funds to provide General Assistance under  
23 this Article, assistance provided by the local governmental  
24 unit under this Section shall not be considered in determining  
25 whether a local governmental unit has qualified to receive

1 State funds under Article XII. A local governmental unit which  
2 provides assistance under this Section shall not, as a result  
3 of payment of such assistance, change the nature or amount of  
4 assistance provided to any other individual or family under  
5 this Article.

6 (3) This Section shall not apply to any municipality of  
7 more than 500,000 population in which a separate program has  
8 been established by the Illinois Department under Section 6-1.

9 (b) (1) A local governmental unit may provide assistance  
10 to households for food and temporary shelter. To qualify for  
11 assistance a household shall submit to the local governmental  
12 unit: (A) such application as the local governmental unit may  
13 require; (B) a copy of an application to the Federal Emergency  
14 Management Agency (hereinafter "FEMA") or the Small Business  
15 Administration (hereinafter "SBA") for assistance; (C) such  
16 other proof of damage, loss or hardship as the local  
17 governmental unit may require; and (D) an agreement to  
18 reimburse the local governmental unit for the amount of any  
19 assistance received by the household under this subsection  
20 (b).

21 (2) Assistance under this subsection (b) may be in the  
22 form of cash or vouchers. The amount of assistance provided to  
23 a household in any month under this subsection (b) shall not  
24 exceed the maximum amount payable under Section 6-2.

25 (3) No assistance shall be provided to a household after  
26 it receives a determination of its application to FEMA or SBA



1 for assistance.

2 (4) A household which has received assistance under this  
3 subsection (b) shall reimburse the local governmental unit in  
4 full for any assistance received under this subsection. If the  
5 household receives assistance from FEMA or SBA in the form of  
6 loans or grants, the household shall reimburse the local  
7 governmental unit from those funds. If the household's request  
8 for assistance is denied or rejected by the FEMA or SBA, the  
9 household shall repay the local governmental unit in  
10 accordance with a repayment schedule prescribed by the local  
11 governmental unit.

12 (c) (1) A local governmental unit may provide assistance  
13 to households for structural repairs to homes or for repair or  
14 replacement of home electrical or heating systems, bedding and  
15 food refrigeration equipment. To qualify for assistance a  
16 household shall submit to the local governmental unit:  
17 (A) such application as the local governmental unit may  
18 require; (B) a copy of claim to an insurance company for  
19 reimbursement for the damage or loss for which assistance is  
20 sought; (C) such other proof of damage, loss or hardship as the  
21 local governmental unit may require; and (D) an agreement to  
22 reimburse the local governmental unit for the amount of any  
23 assistance received by the household under this subsection  
24 (c).

25 (2) Any assistance provided under this subsection (c)  
26 shall be in the form of direct payments to vendors, and shall

1 not be made directly to a household. The total amount of  
2 assistance provided to a household under this subsection (c)  
3 shall not exceed \$1,500.

4 (3) No assistance shall be provided to a household after  
5 it receives a determination of its insurance claims.

6 (4) A household which has received assistance under this  
7 subsection (c) shall reimburse the local governmental unit in  
8 full for any assistance received under this subsection. If the  
9 household's insurance claim is approved, the household shall  
10 reimburse the local governmental unit from the proceeds. If  
11 the household's insurance claim is denied, the household shall  
12 repay the local governmental unit in accordance with a  
13 repayment schedule prescribed by the local governmental unit.

14 (Source: P.A. 85-1233.)

15 (305 ILCS 5/6-11a new)

16 Sec. 6-11a. Townships. A local governmental unit may  
17 provide assistance under its General Assistance program under  
18 a service that complies with Section 85-13 of the Township  
19 Code. Before a local government provides assistance under this  
20 Section, the board of the local government shall approve the  
21 expenditures of such assistance in accordance with this  
22 Section.

23 (305 ILCS 5/6-12) (from Ch. 23, par. 6-12)

24 Sec. 6-12. General Assistance not funded by State. General

1 Assistance programs in local governments that do not receive  
2 State funds shall continue to be governed by Sections 6-1  
3 through 6-10, as applicable, as well as other relevant parts  
4 of this Code and other laws. However, notwithstanding any  
5 other provision of this Code, any unit of local government  
6 that does not receive State funds may implement a General  
7 Assistance program that complies with Section 6-11 and 6-11a.  
8 So long as the ~~that~~ program complies with either Section 6-11  
9 or 6-12, the program shall not be deemed out of compliance with  
10 or in violation of this Code.

11 (Source: P.A. 87-860.)