

HB0204



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB0204

by Rep. La Shawn K. Ford

SYNOPSIS AS INTRODUCED:

See Index

Amends the Senior Citizens and Persons with Disabilities Property Tax Relief Act by reinstating the pharmaceutical assistance program that was eliminated by Public Act 97-689 and changing the short title to the Senior Citizens and Persons with Disabilities Property Tax Relief and Pharmaceutical Assistance Act. Makes conforming changes in various Acts.

LRB101 04737 KTG 49746 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning aging.

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

4 Section 1. The Illinois Administrative Procedure Act is
5 amended by changing Section 5-45 as follows:

6 (5 ILCS 100/5-45) (from Ch. 127, par. 1005-45)

7 Sec. 5-45. Emergency rulemaking.

8 (a) "Emergency" means the existence of any situation that
9 any agency finds reasonably constitutes a threat to the public
10 interest, safety, or welfare.

11 (b) If any agency finds that an emergency exists that
12 requires adoption of a rule upon fewer days than is required by
13 Section 5-40 and states in writing its reasons for that
14 finding, the agency may adopt an emergency rule without prior
15 notice or hearing upon filing a notice of emergency rulemaking
16 with the Secretary of State under Section 5-70. The notice
17 shall include the text of the emergency rule and shall be
18 published in the Illinois Register. Consent orders or other
19 court orders adopting settlements negotiated by an agency may
20 be adopted under this Section. Subject to applicable
21 constitutional or statutory provisions, an emergency rule
22 becomes effective immediately upon filing under Section 5-65 or
23 at a stated date less than 10 days thereafter. The agency's

1 finding and a statement of the specific reasons for the finding
2 shall be filed with the rule. The agency shall take reasonable
3 and appropriate measures to make emergency rules known to the
4 persons who may be affected by them.

5 (c) An emergency rule may be effective for a period of not
6 longer than 150 days, but the agency's authority to adopt an
7 identical rule under Section 5-40 is not precluded. No
8 emergency rule may be adopted more than once in any 24-month
9 period, except that this limitation on the number of emergency
10 rules that may be adopted in a 24-month period does not apply
11 to (i) emergency rules that make additions to and deletions
12 from the Drug Manual under Section 5-5.16 of the Illinois
13 Public Aid Code or the generic drug formulary under Section
14 3.14 of the Illinois Food, Drug and Cosmetic Act, (ii)
15 emergency rules adopted by the Pollution Control Board before
16 July 1, 1997 to implement portions of the Livestock Management
17 Facilities Act, (iii) emergency rules adopted by the Illinois
18 Department of Public Health under subsections (a) through (i)
19 of Section 2 of the Department of Public Health Act when
20 necessary to protect the public's health, (iv) emergency rules
21 adopted pursuant to subsection (n) of this Section, (v)
22 emergency rules adopted pursuant to subsection (o) of this
23 Section, or (vi) emergency rules adopted pursuant to subsection
24 (c-5) of this Section. Two or more emergency rules having
25 substantially the same purpose and effect shall be deemed to be
26 a single rule for purposes of this Section.

1 (c-5) To facilitate the maintenance of the program of group
2 health benefits provided to annuitants, survivors, and retired
3 employees under the State Employees Group Insurance Act of
4 1971, rules to alter the contributions to be paid by the State,
5 annuitants, survivors, retired employees, or any combination
6 of those entities, for that program of group health benefits,
7 shall be adopted as emergency rules. The adoption of those
8 rules shall be considered an emergency and necessary for the
9 public interest, safety, and welfare.

10 (d) In order to provide for the expeditious and timely
11 implementation of the State's fiscal year 1999 budget,
12 emergency rules to implement any provision of Public Act 90-587
13 or 90-588 or any other budget initiative for fiscal year 1999
14 may be adopted in accordance with this Section by the agency
15 charged with administering that provision or initiative,
16 except that the 24-month limitation on the adoption of
17 emergency rules and the provisions of Sections 5-115 and 5-125
18 do not apply to rules adopted under this subsection (d). The
19 adoption of emergency rules authorized by this subsection (d)
20 shall be deemed to be necessary for the public interest,
21 safety, and welfare.

22 (e) In order to provide for the expeditious and timely
23 implementation of the State's fiscal year 2000 budget,
24 emergency rules to implement any provision of Public Act 91-24
25 or any other budget initiative for fiscal year 2000 may be
26 adopted in accordance with this Section by the agency charged

1 with administering that provision or initiative, except that
2 the 24-month limitation on the adoption of emergency rules and
3 the provisions of Sections 5-115 and 5-125 do not apply to
4 rules adopted under this subsection (e). The adoption of
5 emergency rules authorized by this subsection (e) shall be
6 deemed to be necessary for the public interest, safety, and
7 welfare.

8 (f) In order to provide for the expeditious and timely
9 implementation of the State's fiscal year 2001 budget,
10 emergency rules to implement any provision of Public Act 91-712
11 or any other budget initiative for fiscal year 2001 may be
12 adopted in accordance with this Section by the agency charged
13 with administering that provision or initiative, except that
14 the 24-month limitation on the adoption of emergency rules and
15 the provisions of Sections 5-115 and 5-125 do not apply to
16 rules adopted under this subsection (f). The adoption of
17 emergency rules authorized by this subsection (f) shall be
18 deemed to be necessary for the public interest, safety, and
19 welfare.

20 (g) In order to provide for the expeditious and timely
21 implementation of the State's fiscal year 2002 budget,
22 emergency rules to implement any provision of Public Act 92-10
23 or any other budget initiative for fiscal year 2002 may be
24 adopted in accordance with this Section by the agency charged
25 with administering that provision or initiative, except that
26 the 24-month limitation on the adoption of emergency rules and

1 the provisions of Sections 5-115 and 5-125 do not apply to
2 rules adopted under this subsection (g). The adoption of
3 emergency rules authorized by this subsection (g) shall be
4 deemed to be necessary for the public interest, safety, and
5 welfare.

6 (h) In order to provide for the expeditious and timely
7 implementation of the State's fiscal year 2003 budget,
8 emergency rules to implement any provision of Public Act 92-597
9 or any other budget initiative for fiscal year 2003 may be
10 adopted in accordance with this Section by the agency charged
11 with administering that provision or initiative, except that
12 the 24-month limitation on the adoption of emergency rules and
13 the provisions of Sections 5-115 and 5-125 do not apply to
14 rules adopted under this subsection (h). The adoption of
15 emergency rules authorized by this subsection (h) shall be
16 deemed to be necessary for the public interest, safety, and
17 welfare.

18 (i) In order to provide for the expeditious and timely
19 implementation of the State's fiscal year 2004 budget,
20 emergency rules to implement any provision of Public Act 93-20
21 or any other budget initiative for fiscal year 2004 may be
22 adopted in accordance with this Section by the agency charged
23 with administering that provision or initiative, except that
24 the 24-month limitation on the adoption of emergency rules and
25 the provisions of Sections 5-115 and 5-125 do not apply to
26 rules adopted under this subsection (i). The adoption of

1 emergency rules authorized by this subsection (i) shall be
2 deemed to be necessary for the public interest, safety, and
3 welfare.

4 (j) In order to provide for the expeditious and timely
5 implementation of the provisions of the State's fiscal year
6 2005 budget as provided under the Fiscal Year 2005 Budget
7 Implementation (Human Services) Act, emergency rules to
8 implement any provision of the Fiscal Year 2005 Budget
9 Implementation (Human Services) Act may be adopted in
10 accordance with this Section by the agency charged with
11 administering that provision, except that the 24-month
12 limitation on the adoption of emergency rules and the
13 provisions of Sections 5-115 and 5-125 do not apply to rules
14 adopted under this subsection (j). The Department of Public Aid
15 may also adopt rules under this subsection (j) necessary to
16 administer the Illinois Public Aid Code and the Children's
17 Health Insurance Program Act. The adoption of emergency rules
18 authorized by this subsection (j) shall be deemed to be
19 necessary for the public interest, safety, and welfare.

20 (k) In order to provide for the expeditious and timely
21 implementation of the provisions of the State's fiscal year
22 2006 budget, emergency rules to implement any provision of
23 Public Act 94-48 or any other budget initiative for fiscal year
24 2006 may be adopted in accordance with this Section by the
25 agency charged with administering that provision or
26 initiative, except that the 24-month limitation on the adoption

1 of emergency rules and the provisions of Sections 5-115 and
2 5-125 do not apply to rules adopted under this subsection (k).
3 The Department of Healthcare and Family Services may also adopt
4 rules under this subsection (k) necessary to administer the
5 Illinois Public Aid Code, the Senior Citizens and Persons with
6 Disabilities Property Tax Relief and Pharmaceutical Assistance
7 Act, the Senior Citizens and Disabled Persons Prescription Drug
8 Discount Program Act (now the Illinois Prescription Drug
9 Discount Program Act), and the Children's Health Insurance
10 Program Act. The adoption of emergency rules authorized by this
11 subsection (k) shall be deemed to be necessary for the public
12 interest, safety, and welfare.

13 (l) In order to provide for the expeditious and timely
14 implementation of the provisions of the State's fiscal year
15 2007 budget, the Department of Healthcare and Family Services
16 may adopt emergency rules during fiscal year 2007, including
17 rules effective July 1, 2007, in accordance with this
18 subsection to the extent necessary to administer the
19 Department's responsibilities with respect to amendments to
20 the State plans and Illinois waivers approved by the federal
21 Centers for Medicare and Medicaid Services necessitated by the
22 requirements of Title XIX and Title XXI of the federal Social
23 Security Act. The adoption of emergency rules authorized by
24 this subsection (l) shall be deemed to be necessary for the
25 public interest, safety, and welfare.

26 (m) In order to provide for the expeditious and timely

1 implementation of the provisions of the State's fiscal year
2 2008 budget, the Department of Healthcare and Family Services
3 may adopt emergency rules during fiscal year 2008, including
4 rules effective July 1, 2008, in accordance with this
5 subsection to the extent necessary to administer the
6 Department's responsibilities with respect to amendments to
7 the State plans and Illinois waivers approved by the federal
8 Centers for Medicare and Medicaid Services necessitated by the
9 requirements of Title XIX and Title XXI of the federal Social
10 Security Act. The adoption of emergency rules authorized by
11 this subsection (m) shall be deemed to be necessary for the
12 public interest, safety, and welfare.

13 (n) In order to provide for the expeditious and timely
14 implementation of the provisions of the State's fiscal year
15 2010 budget, emergency rules to implement any provision of
16 Public Act 96-45 or any other budget initiative authorized by
17 the 96th General Assembly for fiscal year 2010 may be adopted
18 in accordance with this Section by the agency charged with
19 administering that provision or initiative. The adoption of
20 emergency rules authorized by this subsection (n) shall be
21 deemed to be necessary for the public interest, safety, and
22 welfare. The rulemaking authority granted in this subsection
23 (n) shall apply only to rules promulgated during Fiscal Year
24 2010.

25 (o) In order to provide for the expeditious and timely
26 implementation of the provisions of the State's fiscal year

1 2011 budget, emergency rules to implement any provision of
2 Public Act 96-958 or any other budget initiative authorized by
3 the 96th General Assembly for fiscal year 2011 may be adopted
4 in accordance with this Section by the agency charged with
5 administering that provision or initiative. The adoption of
6 emergency rules authorized by this subsection (o) is deemed to
7 be necessary for the public interest, safety, and welfare. The
8 rulemaking authority granted in this subsection (o) applies
9 only to rules promulgated on or after July 1, 2010 (the
10 effective date of Public Act 96-958) through June 30, 2011.

11 (p) In order to provide for the expeditious and timely
12 implementation of the provisions of Public Act 97-689,
13 emergency rules to implement any provision of Public Act 97-689
14 may be adopted in accordance with this subsection (p) by the
15 agency charged with administering that provision or
16 initiative. The 150-day limitation of the effective period of
17 emergency rules does not apply to rules adopted under this
18 subsection (p), and the effective period may continue through
19 June 30, 2013. The 24-month limitation on the adoption of
20 emergency rules does not apply to rules adopted under this
21 subsection (p). The adoption of emergency rules authorized by
22 this subsection (p) is deemed to be necessary for the public
23 interest, safety, and welfare.

24 (q) In order to provide for the expeditious and timely
25 implementation of the provisions of Articles 7, 8, 9, 11, and
26 12 of Public Act 98-104, emergency rules to implement any

1 provision of Articles 7, 8, 9, 11, and 12 of Public Act 98-104
2 may be adopted in accordance with this subsection (q) by the
3 agency charged with administering that provision or
4 initiative. The 24-month limitation on the adoption of
5 emergency rules does not apply to rules adopted under this
6 subsection (q). The adoption of emergency rules authorized by
7 this subsection (q) is deemed to be necessary for the public
8 interest, safety, and welfare.

9 (r) In order to provide for the expeditious and timely
10 implementation of the provisions of Public Act 98-651,
11 emergency rules to implement Public Act 98-651 may be adopted
12 in accordance with this subsection (r) by the Department of
13 Healthcare and Family Services. The 24-month limitation on the
14 adoption of emergency rules does not apply to rules adopted
15 under this subsection (r). The adoption of emergency rules
16 authorized by this subsection (r) is deemed to be necessary for
17 the public interest, safety, and welfare.

18 (s) In order to provide for the expeditious and timely
19 implementation of the provisions of Sections 5-5b.1 and 5A-2 of
20 the Illinois Public Aid Code, emergency rules to implement any
21 provision of Section 5-5b.1 or Section 5A-2 of the Illinois
22 Public Aid Code may be adopted in accordance with this
23 subsection (s) by the Department of Healthcare and Family
24 Services. The rulemaking authority granted in this subsection
25 (s) shall apply only to those rules adopted prior to July 1,
26 2015. Notwithstanding any other provision of this Section, any

1 emergency rule adopted under this subsection (s) shall only
2 apply to payments made for State fiscal year 2015. The adoption
3 of emergency rules authorized by this subsection (s) is deemed
4 to be necessary for the public interest, safety, and welfare.

5 (t) In order to provide for the expeditious and timely
6 implementation of the provisions of Article II of Public Act
7 99-6, emergency rules to implement the changes made by Article
8 II of Public Act 99-6 to the Emergency Telephone System Act may
9 be adopted in accordance with this subsection (t) by the
10 Department of State Police. The rulemaking authority granted in
11 this subsection (t) shall apply only to those rules adopted
12 prior to July 1, 2016. The 24-month limitation on the adoption
13 of emergency rules does not apply to rules adopted under this
14 subsection (t). The adoption of emergency rules authorized by
15 this subsection (t) is deemed to be necessary for the public
16 interest, safety, and welfare.

17 (u) In order to provide for the expeditious and timely
18 implementation of the provisions of the Burn Victims Relief
19 Act, emergency rules to implement any provision of the Act may
20 be adopted in accordance with this subsection (u) by the
21 Department of Insurance. The rulemaking authority granted in
22 this subsection (u) shall apply only to those rules adopted
23 prior to December 31, 2015. The adoption of emergency rules
24 authorized by this subsection (u) is deemed to be necessary for
25 the public interest, safety, and welfare.

26 (v) In order to provide for the expeditious and timely

1 implementation of the provisions of Public Act 99-516,
2 emergency rules to implement Public Act 99-516 may be adopted
3 in accordance with this subsection (v) by the Department of
4 Healthcare and Family Services. The 24-month limitation on the
5 adoption of emergency rules does not apply to rules adopted
6 under this subsection (v). The adoption of emergency rules
7 authorized by this subsection (v) is deemed to be necessary for
8 the public interest, safety, and welfare.

9 (w) In order to provide for the expeditious and timely
10 implementation of the provisions of Public Act 99-796,
11 emergency rules to implement the changes made by Public Act
12 99-796 may be adopted in accordance with this subsection (w) by
13 the Adjutant General. The adoption of emergency rules
14 authorized by this subsection (w) is deemed to be necessary for
15 the public interest, safety, and welfare.

16 (x) In order to provide for the expeditious and timely
17 implementation of the provisions of Public Act 99-906,
18 emergency rules to implement subsection (i) of Section 16-115D,
19 subsection (g) of Section 16-128A, and subsection (a) of
20 Section 16-128B of the Public Utilities Act may be adopted in
21 accordance with this subsection (x) by the Illinois Commerce
22 Commission. The rulemaking authority granted in this
23 subsection (x) shall apply only to those rules adopted within
24 180 days after June 1, 2017 (the effective date of Public Act
25 99-906). The adoption of emergency rules authorized by this
26 subsection (x) is deemed to be necessary for the public

1 interest, safety, and welfare.

2 (y) In order to provide for the expeditious and timely
3 implementation of the provisions of Public Act 100-23 ~~this~~
4 ~~amendatory Act of the 100th General Assembly~~, emergency rules
5 to implement the changes made by Public Act 100-23 ~~this~~
6 ~~amendatory Act of the 100th General Assembly~~ to Section 4.02 of
7 the Illinois Act on the Aging, Sections 5.5.4 and 5-5.4i of the
8 Illinois Public Aid Code, Section 55-30 of the Alcoholism and
9 Other Drug Abuse and Dependency Act, and Sections 74 and 75 of
10 the Mental Health and Developmental Disabilities
11 Administrative Act may be adopted in accordance with this
12 subsection (y) by the respective Department. The adoption of
13 emergency rules authorized by this subsection (y) is deemed to
14 be necessary for the public interest, safety, and welfare.

15 (z) In order to provide for the expeditious and timely
16 implementation of the provisions of Public Act 100-554 ~~this~~
17 ~~amendatory Act of the 100th General Assembly~~, emergency rules
18 to implement the changes made by Public Act 100-554 ~~this~~
19 ~~amendatory Act of the 100th General Assembly~~ to Section 4.7 of
20 the Lobbyist Registration Act may be adopted in accordance with
21 this subsection (z) by the Secretary of State. The adoption of
22 emergency rules authorized by this subsection (z) is deemed to
23 be necessary for the public interest, safety, and welfare.

24 (aa) In order to provide for the expeditious and timely
25 initial implementation of the changes made to Articles 5, 5A,
26 12, and 14 of the Illinois Public Aid Code under the provisions

1 of Public Act 100-581 ~~this amendatory Act of the 100th General~~
2 ~~Assembly~~, the Department of Healthcare and Family Services may
3 adopt emergency rules in accordance with this subsection (aa).
4 The 24-month limitation on the adoption of emergency rules does
5 not apply to rules to initially implement the changes made to
6 Articles 5, 5A, 12, and 14 of the Illinois Public Aid Code
7 adopted under this subsection (aa). The adoption of emergency
8 rules authorized by this subsection (aa) is deemed to be
9 necessary for the public interest, safety, and welfare.

10 (bb) In order to provide for the expeditious and timely
11 implementation of the provisions of Public Act 100-587 ~~this~~
12 ~~amendatory Act of the 100th General Assembly~~, emergency rules
13 to implement the changes made by Public Act 100-587 ~~this~~
14 ~~amendatory Act of the 100th General Assembly~~ to Section 4.02 of
15 the Illinois Act on the Aging, Sections 5.5.4 and 5-5.4i of the
16 Illinois Public Aid Code, subsection (b) of Section 55-30 of
17 the Alcoholism and Other Drug Abuse and Dependency Act, Section
18 5-104 of the Specialized Mental Health Rehabilitation Act of
19 2013, and Section 75 and subsection (b) of Section 74 of the
20 Mental Health and Developmental Disabilities Administrative
21 Act may be adopted in accordance with this subsection (bb) by
22 the respective Department. The adoption of emergency rules
23 authorized by this subsection (bb) is deemed to be necessary
24 for the public interest, safety, and welfare.

25 (cc) ~~(bb)~~ In order to provide for the expeditious and
26 timely implementation of the provisions of Public Act 100-587

1 ~~this amendatory Act of the 100th General Assembly~~, emergency
2 rules may be adopted in accordance with this subsection (cc)
3 ~~(bb)~~ to implement the changes made by Public Act 100-587 ~~this~~
4 ~~amendatory Act of the 100th General Assembly~~ to: Sections
5 14-147.5 and 14-147.6 of the Illinois Pension Code by the Board
6 created under Article 14 of the Code; Sections 15-185.5 and
7 15-185.6 of the Illinois Pension Code by the Board created
8 under Article 15 of the Code; and Sections 16-190.5 and
9 16-190.6 of the Illinois Pension Code by the Board created
10 under Article 16 of the Code. The adoption of emergency rules
11 authorized by this subsection (cc) ~~(bb)~~ is deemed to be
12 necessary for the public interest, safety, and welfare.

13 (dd) ~~(aa)~~ In order to provide for the expeditious and
14 timely implementation of the provisions of Public Act 100-864
15 ~~this amendatory Act of the 100th General Assembly~~, emergency
16 rules to implement the changes made by Public Act 100-864 ~~this~~
17 ~~amendatory Act of the 100th General Assembly~~ to Section 3.35 of
18 the Newborn Metabolic Screening Act may be adopted in
19 accordance with this subsection (dd) ~~(aa)~~ by the Secretary of
20 State. The adoption of emergency rules authorized by this
21 subsection (dd) ~~(aa)~~ is deemed to be necessary for the public
22 interest, safety, and welfare.

23 (Source: P.A. 99-2, eff. 3-26-15; 99-6, eff. 1-1-16; 99-143,
24 eff. 7-27-15; 99-455, eff. 1-1-16; 99-516, eff. 6-30-16;
25 99-642, eff. 7-28-16; 99-796, eff. 1-1-17; 99-906, eff. 6-1-17;
26 100-23, eff. 7-6-17; 100-554, eff. 11-16-17; 100-581, eff.

1 3-12-18; 100-587, Article 95, Section 95-5, eff. 6-4-18;
2 100-587, Article 110, Section 110-5, eff. 6-4-18; 100-864, eff.
3 8-14-18; revised 10-18-18.)

4 Section 5. The State Comptroller Act is amended by changing
5 Section 10.05 as follows:

6 (15 ILCS 405/10.05) (from Ch. 15, par. 210.05)

7 Sec. 10.05. Deductions from warrants; statement of reason
8 for deduction. Whenever any person shall be entitled to a
9 warrant or other payment from the treasury or other funds held
10 by the State Treasurer, on any account, against whom there
11 shall be any then due and payable account or claim in favor of
12 the State, the United States upon certification by the
13 Secretary of the Treasury of the United States, or his or her
14 delegate, pursuant to a reciprocal offset agreement under
15 subsection (i-1) of Section 10 of the Illinois State Collection
16 Act of 1986, or a unit of local government, a school district,
17 a public institution of higher education, as defined in Section
18 1 of the Board of Higher Education Act, or the clerk of a
19 circuit court, upon certification by that entity, the
20 Comptroller, upon notification thereof, shall ascertain the
21 amount due and payable to the State, the United States, the
22 unit of local government, the school district, the public
23 institution of higher education, or the clerk of the circuit
24 court, as aforesaid, and draw a warrant on the treasury or on

1 other funds held by the State Treasurer, stating the amount for
2 which the party was entitled to a warrant or other payment, the
3 amount deducted therefrom, and on what account, and directing
4 the payment of the balance; which warrant or payment as so
5 drawn shall be entered on the books of the Treasurer, and such
6 balance only shall be paid. The Comptroller may deduct any one
7 or more of the following: (i) the entire amount due and payable
8 to the State or a portion of the amount due and payable to the
9 State in accordance with the request of the notifying agency;
10 (ii) the entire amount due and payable to the United States or
11 a portion of the amount due and payable to the United States in
12 accordance with a reciprocal offset agreement under subsection
13 (i-1) of Section 10 of the Illinois State Collection Act of
14 1986; or (iii) the entire amount due and payable to the unit of
15 local government, school district, public institution of
16 higher education, or clerk of the circuit court, or a portion
17 of the amount due and payable to that entity, in accordance
18 with an intergovernmental agreement authorized under this
19 Section and Section 10.05d. No request from a notifying agency,
20 the Secretary of the Treasury of the United States, a unit of
21 local government, a school district, a public institution of
22 higher education, or the clerk of a circuit court for an amount
23 to be deducted under this Section from a wage or salary
24 payment, from a contractual payment to an individual for
25 personal services, or from pension annuity payments made under
26 the Illinois Pension Code shall exceed 25% of the net amount of

1 such payment. "Net amount" means that part of the earnings of
2 an individual remaining after deduction of any amounts required
3 by law to be withheld. For purposes of this provision, wage,
4 salary or other payments for personal services shall not
5 include final compensation payments for the value of accrued
6 vacation, overtime or sick leave. Whenever the Comptroller
7 draws a warrant or makes a payment involving a deduction
8 ordered under this Section, the Comptroller shall notify the
9 payee and the State agency that submitted the voucher of the
10 reason for the deduction and he or she shall retain a record of
11 such statement in his or her records. As used in this Section,
12 an "account or claim in favor of the State" includes all
13 amounts owing to "State agencies" as defined in Section 7 of
14 this Act. However, the Comptroller shall not be required to
15 accept accounts or claims owing to funds not held by the State
16 Treasurer, where such accounts or claims do not exceed \$50, nor
17 shall the Comptroller deduct from funds held by the State
18 Treasurer under the Senior Citizens and Persons with
19 Disabilities Property Tax Relief and Pharmaceutical Assistance
20 Act or for payments to institutions from the Illinois Prepaid
21 Tuition Trust Fund (unless the Trust Fund moneys are used for
22 child support). The Comptroller shall not deduct from payments
23 to be disbursed from the Child Support Enforcement Trust Fund
24 as provided for under Section 12-10.2 of the Illinois Public
25 Aid Code, except for payments representing interest on child
26 support obligations under Section 10-16.5 of that Code. The

1 Comptroller and the Department of Revenue shall enter into an
2 interagency agreement to establish responsibilities, duties,
3 and procedures relating to deductions from lottery prizes
4 awarded under Section 20.1 of the Illinois Lottery Law. The
5 Comptroller may enter into an intergovernmental agreement with
6 the Department of Revenue and the Secretary of the Treasury of
7 the United States, or his or her delegate, to establish
8 responsibilities, duties, and procedures relating to
9 reciprocal offset of delinquent State and federal obligations
10 pursuant to subsection (i-1) of Section 10 of the Illinois
11 State Collection Act of 1986. The Comptroller may enter into
12 intergovernmental agreements with any unit of local
13 government, school district, public institution of higher
14 education, or clerk of a circuit court to establish
15 responsibilities, duties, and procedures to provide for the
16 offset, by the Comptroller, of obligations owed to those
17 entities.

18 For the purposes of this Section, "clerk of a circuit
19 court" means the clerk of a circuit court in any county in the
20 State.

21 (Source: P.A. 99-143, eff. 7-27-15; 100-763, eff. 8-10-18.)

22 Section 10. The Illinois Act on the Aging is amended by
23 changing Section 4.15 as follows:

24 (20 ILCS 105/4.15)

1 Sec. 4.15. Eligibility determinations.

2 (a) The Department is authorized to make eligibility
3 determinations for benefits administered by other governmental
4 bodies based on the Senior Citizens and Persons with
5 Disabilities Property Tax Relief and Pharmaceutical Assistance
6 Act as follows:

7 (i) for the Secretary of State with respect to reduced
8 fees paid by qualified vehicle owners under the Illinois
9 Vehicle Code;

10 (ii) for special districts that offer free fixed route
11 public transportation services for qualified older adults
12 under the Local Mass Transit District Act, the Metropolitan
13 Transit Authority Act, and the Regional Transportation
14 Authority Act; and

15 (iii) for special districts that offer transit
16 services for qualified individuals with disabilities under
17 the Local Mass Transit District Act, the Metropolitan
18 Transit Authority Act, and the Regional Transportation
19 Authority Act.

20 (b) The Department shall establish the manner by which
21 claimants shall apply for these benefits. The Department is
22 authorized to promulgate rules regarding the following
23 matters: the application cycle; the application process; the
24 content for an electronic application; required personal
25 identification information; acceptable proof of eligibility as
26 to age, disability status, marital status, residency, and

1 household income limits; household composition; calculating
2 income; use of social security numbers; duration of eligibility
3 determinations; and any other matters necessary for such
4 administrative operations.

5 (c) All information received by the Department from an
6 application or from any investigation to determine eligibility
7 for benefits shall be confidential, except for official
8 purposes.

9 (d) A person may not under any circumstances charge a fee
10 to a claimant for assistance in completing an application form
11 for these benefits.

12 (Source: P.A. 98-887, eff. 8-15-14; 99-143, eff. 7-27-15.)

13 Section 15. The State Finance Act is amended by changing
14 Sections 6z-52 and 6z-81 as follows:

15 (30 ILCS 105/6z-52)

16 Sec. 6z-52. Drug Rebate Fund.

17 (a) There is created in the State Treasury a special fund
18 to be known as the Drug Rebate Fund.

19 (b) The Fund is created for the purpose of receiving and
20 disbursing moneys in accordance with this Section.
21 Disbursements from the Fund shall be made, subject to
22 appropriation, only as follows:

23 (1) For payments for reimbursement or coverage for
24 prescription drugs and other pharmacy products provided to

1 a recipient of medical assistance under the Illinois Public
2 Aid Code, the Children's Health Insurance Program Act, the
3 Covering ALL KIDS Health Insurance Act, ~~and~~ the Veterans'
4 Health Insurance Program Act of 2008, and the Senior
5 Citizens and Persons with Disabilities Property Tax Relief
6 and Pharmaceutical Assistance Act.

7 (1.5) For payments to managed care organizations as
8 defined in Section 5-30.1 of the Illinois Public Aid Code.

9 (2) For reimbursement of moneys collected by the
10 Department of Healthcare and Family Services (formerly
11 Illinois Department of Public Aid) through error or
12 mistake.

13 (3) For payments of any amounts that are reimbursable
14 to the federal government resulting from a payment into
15 this Fund.

16 (4) (Blank). ~~For payments of operational and~~
17 ~~administrative expenses related to providing and managing~~
18 ~~coverage for prescription drugs and other pharmacy~~
19 ~~products provided to a recipient of medical assistance~~
20 ~~under the Illinois Public Aid Code, the Children's Health~~
21 ~~Insurance Program Act, the Covering ALL KIDS Health~~
22 ~~Insurance Act, and the Veterans' Health Insurance Program~~
23 ~~Act of 2008.~~

24 (c) The Fund shall consist of the following:

25 (1) Upon notification from the Director of Healthcare
26 and Family Services, the Comptroller shall direct and the

1 Treasurer shall transfer the net State share (disregarding
2 the reduction in net State share attributable to the
3 American Recovery and Reinvestment Act of 2009 or any other
4 federal economic stimulus program) of all moneys received
5 by the Department of Healthcare and Family Services
6 (formerly Illinois Department of Public Aid) from drug
7 rebate agreements with pharmaceutical manufacturers
8 pursuant to Title XIX of the federal Social Security Act,
9 including any portion of the balance in the Public Aid
10 Recoveries Trust Fund on July 1, 2001 that is attributable
11 to such receipts.

12 (2) All federal matching funds received by the Illinois
13 Department as a result of expenditures made by the
14 Department that are attributable to moneys deposited in the
15 Fund.

16 (3) Any premium collected by the Illinois Department
17 from participants under a waiver approved by the federal
18 government relating to provision of pharmaceutical
19 services.

20 (4) All other moneys received for the Fund from any
21 other source, including interest earned thereon.

22 (Source: P.A. 100-23, eff. 7-6-17.)

23 (30 ILCS 105/6z-81)

24 Sec. 6z-81. Healthcare Provider Relief Fund.

25 (a) There is created in the State treasury a special fund

1 to be known as the Healthcare Provider Relief Fund.

2 (b) The Fund is created for the purpose of receiving and
3 disbursing moneys in accordance with this Section.
4 Disbursements from the Fund shall be made only as follows:

5 (1) Subject to appropriation, for payment by the
6 Department of Healthcare and Family Services or by the
7 Department of Human Services of medical bills and related
8 expenses, including administrative expenses, for which the
9 State is responsible under Titles XIX and XXI of the Social
10 Security Act, the Illinois Public Aid Code, the Children's
11 Health Insurance Program Act, the Covering ALL KIDS Health
12 Insurance Act, the Senior Citizens and Persons with
13 Disabilities Property Tax Relief and Pharmaceutical
14 Assistance Act, and the Long Term Acute Care Hospital
15 Quality Improvement Transfer Program Act.

16 (2) For repayment of funds borrowed from other State
17 funds or from outside sources, including interest thereon.

18 (3) For State fiscal years 2017, 2018, and 2019, for
19 making payments to the human poison control center pursuant
20 to Section 12-4.105 of the Illinois Public Aid Code.

21 (c) The Fund shall consist of the following:

22 (1) Moneys received by the State from short-term
23 borrowing pursuant to the Short Term Borrowing Act on or
24 after the effective date of Public Act 96-820.

25 (2) All federal matching funds received by the Illinois
26 Department of Healthcare and Family Services as a result of

1 expenditures made by the Department that are attributable
2 to moneys deposited in the Fund.

3 (3) All federal matching funds received by the Illinois
4 Department of Healthcare and Family Services as a result of
5 federal approval of Title XIX State plan amendment
6 transmittal number 07-09.

7 (4) All other moneys received for the Fund from any
8 other source, including interest earned thereon.

9 (5) All federal matching funds received by the Illinois
10 Department of Healthcare and Family Services as a result of
11 expenditures made by the Department for Medical Assistance
12 from the General Revenue Fund, the Tobacco Settlement
13 Recovery Fund, the Long-Term Care Provider Fund, and the
14 Drug Rebate Fund related to individuals eligible for
15 medical assistance pursuant to the Patient Protection and
16 Affordable Care Act (P.L. 111-148) and Section 5-2 of the
17 Illinois Public Aid Code.

18 (d) In addition to any other transfers that may be provided
19 for by law, on the effective date of Public Act 97-44, or as
20 soon thereafter as practical, the State Comptroller shall
21 direct and the State Treasurer shall transfer the sum of
22 \$365,000,000 from the General Revenue Fund into the Healthcare
23 Provider Relief Fund.

24 (e) In addition to any other transfers that may be provided
25 for by law, on July 1, 2011, or as soon thereafter as
26 practical, the State Comptroller shall direct and the State

1 Treasurer shall transfer the sum of \$160,000,000 from the
2 General Revenue Fund to the Healthcare Provider Relief Fund.

3 (f) Notwithstanding any other State law to the contrary,
4 and in addition to any other transfers that may be provided for
5 by law, the State Comptroller shall order transferred and the
6 State Treasurer shall transfer \$500,000,000 to the Healthcare
7 Provider Relief Fund from the General Revenue Fund in equal
8 monthly installments of \$100,000,000, with the first transfer
9 to be made on July 1, 2012, or as soon thereafter as practical,
10 and with each of the remaining transfers to be made on August
11 1, 2012, September 1, 2012, October 1, 2012, and November 1,
12 2012, or as soon thereafter as practical. This transfer may
13 assist the Department of Healthcare and Family Services in
14 improving Medical Assistance bill processing timeframes or in
15 meeting the possible requirements of Senate Bill 3397, or other
16 similar legislation, of the 97th General Assembly should it
17 become law.

18 (g) Notwithstanding any other State law to the contrary,
19 and in addition to any other transfers that may be provided for
20 by law, on July 1, 2013, or as soon thereafter as may be
21 practical, the State Comptroller shall direct and the State
22 Treasurer shall transfer the sum of \$601,000,000 from the
23 General Revenue Fund to the Healthcare Provider Relief Fund.

24 (Source: P.A. 99-516, eff. 6-30-16; 100-587, eff. 6-4-18.)

25 Section 20. The Downstate Public Transportation Act is

1 amended by changing Sections 2-15.2 and 2-15.3 as follows:

2 (30 ILCS 740/2-15.2)

3 Sec. 2-15.2. Free services; eligibility.

4 (a) Notwithstanding any law to the contrary, no later than
5 60 days following the effective date of this amendatory Act of
6 the 95th General Assembly and until subsection (b) is
7 implemented, any fixed route public transportation services
8 provided by, or under grant or purchase of service contracts
9 of, every participant, as defined in Section 2-2.02 (1)(a),
10 shall be provided without charge to all senior citizen
11 residents of the participant aged 65 and older, under such
12 conditions as shall be prescribed by the participant.

13 (b) Notwithstanding any law to the contrary, no later than
14 180 days following the effective date of this amendatory Act of
15 the 96th General Assembly, any fixed route public
16 transportation services provided by, or under grant or purchase
17 of service contracts of, every participant, as defined in
18 Section 2-2.02 (1)(a), shall be provided without charge to
19 senior citizens aged 65 and older who meet the income
20 eligibility limitation set forth in subsection (a-5) of Section
21 4 of the Senior Citizens and Persons with Disabilities Property
22 Tax Relief and Pharmaceutical Assistance Act, under such
23 conditions as shall be prescribed by the participant. The
24 Department on Aging shall furnish all information reasonably
25 necessary to determine eligibility, including updated lists of

1 individuals who are eligible for services without charge under
2 this Section. Nothing in this Section shall relieve the
3 participant from providing reduced fares as may be required by
4 federal law.

5 (Source: P.A. 99-143, eff. 7-27-15.)

6 (30 ILCS 740/2-15.3)

7 Sec. 2-15.3. Transit services for individuals with
8 disabilities. Notwithstanding any law to the contrary, no later
9 than 60 days following the effective date of this amendatory
10 Act of the 95th General Assembly, all fixed route public
11 transportation services provided by, or under grant or purchase
12 of service contract of, any participant shall be provided
13 without charge to all persons with disabilities who meet the
14 income eligibility limitation set forth in subsection (a-5) of
15 Section 4 of the Senior Citizens and Persons with Disabilities
16 Property Tax Relief and Pharmaceutical Assistance Act, under
17 such procedures as shall be prescribed by the participant. The
18 Department on Aging shall furnish all information reasonably
19 necessary to determine eligibility, including updated lists of
20 individuals who are eligible for services without charge under
21 this Section.

22 (Source: P.A. 99-143, eff. 7-27-15.)

23 Section 25. The Property Tax Code is amended by changing
24 Sections 15-172, 15-175, 20-15, and 21-27 as follows:

1 (35 ILCS 200/15-172)

2 Sec. 15-172. Senior Citizens Assessment Freeze Homestead
3 Exemption.

4 (a) This Section may be cited as the Senior Citizens
5 Assessment Freeze Homestead Exemption.

6 (b) As used in this Section:

7 "Applicant" means an individual who has filed an
8 application under this Section.

9 "Base amount" means the base year equalized assessed value
10 of the residence plus the first year's equalized assessed value
11 of any added improvements which increased the assessed value of
12 the residence after the base year.

13 "Base year" means the taxable year prior to the taxable
14 year for which the applicant first qualifies and applies for
15 the exemption provided that in the prior taxable year the
16 property was improved with a permanent structure that was
17 occupied as a residence by the applicant who was liable for
18 paying real property taxes on the property and who was either
19 (i) an owner of record of the property or had legal or
20 equitable interest in the property as evidenced by a written
21 instrument or (ii) had a legal or equitable interest as a
22 lessee in the parcel of property that was single family
23 residence. If in any subsequent taxable year for which the
24 applicant applies and qualifies for the exemption the equalized
25 assessed value of the residence is less than the equalized

1 assessed value in the existing base year (provided that such
2 equalized assessed value is not based on an assessed value that
3 results from a temporary irregularity in the property that
4 reduces the assessed value for one or more taxable years), then
5 that subsequent taxable year shall become the base year until a
6 new base year is established under the terms of this paragraph.
7 For taxable year 1999 only, the Chief County Assessment Officer
8 shall review (i) all taxable years for which the applicant
9 applied and qualified for the exemption and (ii) the existing
10 base year. The assessment officer shall select as the new base
11 year the year with the lowest equalized assessed value. An
12 equalized assessed value that is based on an assessed value
13 that results from a temporary irregularity in the property that
14 reduces the assessed value for one or more taxable years shall
15 not be considered the lowest equalized assessed value. The
16 selected year shall be the base year for taxable year 1999 and
17 thereafter until a new base year is established under the terms
18 of this paragraph.

19 "Chief County Assessment Officer" means the County
20 Assessor or Supervisor of Assessments of the county in which
21 the property is located.

22 "Equalized assessed value" means the assessed value as
23 equalized by the Illinois Department of Revenue.

24 "Household" means the applicant, the spouse of the
25 applicant, and all persons using the residence of the applicant
26 as their principal place of residence.

1 "Household income" means the combined income of the members
2 of a household for the calendar year preceding the taxable
3 year.

4 "Income" has the same meaning as provided in Section 3.07
5 of the Senior Citizens and Persons with Disabilities Property
6 Tax Relief and Pharmaceutical Assistance Act, except that,
7 beginning in assessment year 2001, "income" does not include
8 veteran's benefits.

9 "Internal Revenue Code of 1986" means the United States
10 Internal Revenue Code of 1986 or any successor law or laws
11 relating to federal income taxes in effect for the year
12 preceding the taxable year.

13 "Life care facility that qualifies as a cooperative" means
14 a facility as defined in Section 2 of the Life Care Facilities
15 Act.

16 "Maximum income limitation" means:

- 17 (1) \$35,000 prior to taxable year 1999;
18 (2) \$40,000 in taxable years 1999 through 2003;
19 (3) \$45,000 in taxable years 2004 through 2005;
20 (4) \$50,000 in taxable years 2006 and 2007;
21 (5) \$55,000 in taxable years 2008 through 2016;
22 (6) for taxable year 2017, (i) \$65,000 for qualified
23 property located in a county with 3,000,000 or more
24 inhabitants and (ii) \$55,000 for qualified property
25 located in a county with fewer than 3,000,000 inhabitants;
26 and

1 (7) for taxable years 2018 and thereafter, \$65,000 for
2 all qualified property.

3 "Residence" means the principal dwelling place and
4 appurtenant structures used for residential purposes in this
5 State occupied on January 1 of the taxable year by a household
6 and so much of the surrounding land, constituting the parcel
7 upon which the dwelling place is situated, as is used for
8 residential purposes. If the Chief County Assessment Officer
9 has established a specific legal description for a portion of
10 property constituting the residence, then that portion of
11 property shall be deemed the residence for the purposes of this
12 Section.

13 "Taxable year" means the calendar year during which ad
14 valorem property taxes payable in the next succeeding year are
15 levied.

16 (c) Beginning in taxable year 1994, a senior citizens
17 assessment freeze homestead exemption is granted for real
18 property that is improved with a permanent structure that is
19 occupied as a residence by an applicant who (i) is 65 years of
20 age or older during the taxable year, (ii) has a household
21 income that does not exceed the maximum income limitation,
22 (iii) is liable for paying real property taxes on the property,
23 and (iv) is an owner of record of the property or has a legal or
24 equitable interest in the property as evidenced by a written
25 instrument. This homestead exemption shall also apply to a
26 leasehold interest in a parcel of property improved with a

1 permanent structure that is a single family residence that is
2 occupied as a residence by a person who (i) is 65 years of age
3 or older during the taxable year, (ii) has a household income
4 that does not exceed the maximum income limitation, (iii) has a
5 legal or equitable ownership interest in the property as
6 lessee, and (iv) is liable for the payment of real property
7 taxes on that property.

8 In counties of 3,000,000 or more inhabitants, the amount of
9 the exemption for all taxable years is the equalized assessed
10 value of the residence in the taxable year for which
11 application is made minus the base amount. In all other
12 counties, the amount of the exemption is as follows: (i)
13 through taxable year 2005 and for taxable year 2007 and
14 thereafter, the amount of this exemption shall be the equalized
15 assessed value of the residence in the taxable year for which
16 application is made minus the base amount; and (ii) for taxable
17 year 2006, the amount of the exemption is as follows:

18 (1) For an applicant who has a household income of
19 \$45,000 or less, the amount of the exemption is the
20 equalized assessed value of the residence in the taxable
21 year for which application is made minus the base amount.

22 (2) For an applicant who has a household income
23 exceeding \$45,000 but not exceeding \$46,250, the amount of
24 the exemption is (i) the equalized assessed value of the
25 residence in the taxable year for which application is made
26 minus the base amount (ii) multiplied by 0.8.

1 (3) For an applicant who has a household income
2 exceeding \$46,250 but not exceeding \$47,500, the amount of
3 the exemption is (i) the equalized assessed value of the
4 residence in the taxable year for which application is made
5 minus the base amount (ii) multiplied by 0.6.

6 (4) For an applicant who has a household income
7 exceeding \$47,500 but not exceeding \$48,750, the amount of
8 the exemption is (i) the equalized assessed value of the
9 residence in the taxable year for which application is made
10 minus the base amount (ii) multiplied by 0.4.

11 (5) For an applicant who has a household income
12 exceeding \$48,750 but not exceeding \$50,000, the amount of
13 the exemption is (i) the equalized assessed value of the
14 residence in the taxable year for which application is made
15 minus the base amount (ii) multiplied by 0.2.

16 When the applicant is a surviving spouse of an applicant
17 for a prior year for the same residence for which an exemption
18 under this Section has been granted, the base year and base
19 amount for that residence are the same as for the applicant for
20 the prior year.

21 Each year at the time the assessment books are certified to
22 the County Clerk, the Board of Review or Board of Appeals shall
23 give to the County Clerk a list of the assessed values of
24 improvements on each parcel qualifying for this exemption that
25 were added after the base year for this parcel and that
26 increased the assessed value of the property.

1 In the case of land improved with an apartment building
2 owned and operated as a cooperative or a building that is a
3 life care facility that qualifies as a cooperative, the maximum
4 reduction from the equalized assessed value of the property is
5 limited to the sum of the reductions calculated for each unit
6 occupied as a residence by a person or persons (i) 65 years of
7 age or older, (ii) with a household income that does not exceed
8 the maximum income limitation, (iii) who is liable, by contract
9 with the owner or owners of record, for paying real property
10 taxes on the property, and (iv) who is an owner of record of a
11 legal or equitable interest in the cooperative apartment
12 building, other than a leasehold interest. In the instance of a
13 cooperative where a homestead exemption has been granted under
14 this Section, the cooperative association or its management
15 firm shall credit the savings resulting from that exemption
16 only to the apportioned tax liability of the owner who
17 qualified for the exemption. Any person who willfully refuses
18 to credit that savings to an owner who qualifies for the
19 exemption is guilty of a Class B misdemeanor.

20 When a homestead exemption has been granted under this
21 Section and an applicant then becomes a resident of a facility
22 licensed under the Assisted Living and Shared Housing Act, the
23 Nursing Home Care Act, the Specialized Mental Health
24 Rehabilitation Act of 2013, the ID/DD Community Care Act, or
25 the MC/DD Act, the exemption shall be granted in subsequent
26 years so long as the residence (i) continues to be occupied by

1 the qualified applicant's spouse or (ii) if remaining
2 unoccupied, is still owned by the qualified applicant for the
3 homestead exemption.

4 Beginning January 1, 1997, when an individual dies who
5 would have qualified for an exemption under this Section, and
6 the surviving spouse does not independently qualify for this
7 exemption because of age, the exemption under this Section
8 shall be granted to the surviving spouse for the taxable year
9 preceding and the taxable year of the death, provided that,
10 except for age, the surviving spouse meets all other
11 qualifications for the granting of this exemption for those
12 years.

13 When married persons maintain separate residences, the
14 exemption provided for in this Section may be claimed by only
15 one of such persons and for only one residence.

16 For taxable year 1994 only, in counties having less than
17 3,000,000 inhabitants, to receive the exemption, a person shall
18 submit an application by February 15, 1995 to the Chief County
19 Assessment Officer of the county in which the property is
20 located. In counties having 3,000,000 or more inhabitants, for
21 taxable year 1994 and all subsequent taxable years, to receive
22 the exemption, a person may submit an application to the Chief
23 County Assessment Officer of the county in which the property
24 is located during such period as may be specified by the Chief
25 County Assessment Officer. The Chief County Assessment Officer
26 in counties of 3,000,000 or more inhabitants shall annually

1 give notice of the application period by mail or by
2 publication. In counties having less than 3,000,000
3 inhabitants, beginning with taxable year 1995 and thereafter,
4 to receive the exemption, a person shall submit an application
5 by July 1 of each taxable year to the Chief County Assessment
6 Officer of the county in which the property is located. A
7 county may, by ordinance, establish a date for submission of
8 applications that is different than July 1. The applicant shall
9 submit with the application an affidavit of the applicant's
10 total household income, age, marital status (and if married the
11 name and address of the applicant's spouse, if known), and
12 principal dwelling place of members of the household on January
13 1 of the taxable year. The Department shall establish, by rule,
14 a method for verifying the accuracy of affidavits filed by
15 applicants under this Section, and the Chief County Assessment
16 Officer may conduct audits of any taxpayer claiming an
17 exemption under this Section to verify that the taxpayer is
18 eligible to receive the exemption. Each application shall
19 contain or be verified by a written declaration that it is made
20 under the penalties of perjury. A taxpayer's signing a
21 fraudulent application under this Act is perjury, as defined in
22 Section 32-2 of the Criminal Code of 2012. The applications
23 shall be clearly marked as applications for the Senior Citizens
24 Assessment Freeze Homestead Exemption and must contain a notice
25 that any taxpayer who receives the exemption is subject to an
26 audit by the Chief County Assessment Officer.

1 Notwithstanding any other provision to the contrary, in
2 counties having fewer than 3,000,000 inhabitants, if an
3 applicant fails to file the application required by this
4 Section in a timely manner and this failure to file is due to a
5 mental or physical condition sufficiently severe so as to
6 render the applicant incapable of filing the application in a
7 timely manner, the Chief County Assessment Officer may extend
8 the filing deadline for a period of 30 days after the applicant
9 regains the capability to file the application, but in no case
10 may the filing deadline be extended beyond 3 months of the
11 original filing deadline. In order to receive the extension
12 provided in this paragraph, the applicant shall provide the
13 Chief County Assessment Officer with a signed statement from
14 the applicant's physician, advanced practice registered nurse,
15 or physician assistant stating the nature and extent of the
16 condition, that, in the physician's, advanced practice
17 registered nurse's, or physician assistant's opinion, the
18 condition was so severe that it rendered the applicant
19 incapable of filing the application in a timely manner, and the
20 date on which the applicant regained the capability to file the
21 application.

22 Beginning January 1, 1998, notwithstanding any other
23 provision to the contrary, in counties having fewer than
24 3,000,000 inhabitants, if an applicant fails to file the
25 application required by this Section in a timely manner and
26 this failure to file is due to a mental or physical condition

1 sufficiently severe so as to render the applicant incapable of
2 filing the application in a timely manner, the Chief County
3 Assessment Officer may extend the filing deadline for a period
4 of 3 months. In order to receive the extension provided in this
5 paragraph, the applicant shall provide the Chief County
6 Assessment Officer with a signed statement from the applicant's
7 physician, advanced practice registered nurse, or physician
8 assistant stating the nature and extent of the condition, and
9 that, in the physician's, advanced practice registered
10 nurse's, or physician assistant's opinion, the condition was so
11 severe that it rendered the applicant incapable of filing the
12 application in a timely manner.

13 In counties having less than 3,000,000 inhabitants, if an
14 applicant was denied an exemption in taxable year 1994 and the
15 denial occurred due to an error on the part of an assessment
16 official, or his or her agent or employee, then beginning in
17 taxable year 1997 the applicant's base year, for purposes of
18 determining the amount of the exemption, shall be 1993 rather
19 than 1994. In addition, in taxable year 1997, the applicant's
20 exemption shall also include an amount equal to (i) the amount
21 of any exemption denied to the applicant in taxable year 1995
22 as a result of using 1994, rather than 1993, as the base year,
23 (ii) the amount of any exemption denied to the applicant in
24 taxable year 1996 as a result of using 1994, rather than 1993,
25 as the base year, and (iii) the amount of the exemption
26 erroneously denied for taxable year 1994.

1 For purposes of this Section, a person who will be 65 years
2 of age during the current taxable year shall be eligible to
3 apply for the homestead exemption during that taxable year.
4 Application shall be made during the application period in
5 effect for the county of his or her residence.

6 The Chief County Assessment Officer may determine the
7 eligibility of a life care facility that qualifies as a
8 cooperative to receive the benefits provided by this Section by
9 use of an affidavit, application, visual inspection,
10 questionnaire, or other reasonable method in order to insure
11 that the tax savings resulting from the exemption are credited
12 by the management firm to the apportioned tax liability of each
13 qualifying resident. The Chief County Assessment Officer may
14 request reasonable proof that the management firm has so
15 credited that exemption.

16 Except as provided in this Section, all information
17 received by the chief county assessment officer or the
18 Department from applications filed under this Section, or from
19 any investigation conducted under the provisions of this
20 Section, shall be confidential, except for official purposes or
21 pursuant to official procedures for collection of any State or
22 local tax or enforcement of any civil or criminal penalty or
23 sanction imposed by this Act or by any statute or ordinance
24 imposing a State or local tax. Any person who divulges any such
25 information in any manner, except in accordance with a proper
26 judicial order, is guilty of a Class A misdemeanor.

1 Nothing contained in this Section shall prevent the
2 Director or chief county assessment officer from publishing or
3 making available reasonable statistics concerning the
4 operation of the exemption contained in this Section in which
5 the contents of claims are grouped into aggregates in such a
6 way that information contained in any individual claim shall
7 not be disclosed.

8 Notwithstanding any other provision of law, for taxable
9 year 2017 and thereafter, in counties of 3,000,000 or more
10 inhabitants, the amount of the exemption shall be the greater
11 of (i) the amount of the exemption otherwise calculated under
12 this Section or (ii) \$2,000.

13 (d) Each Chief County Assessment Officer shall annually
14 publish a notice of availability of the exemption provided
15 under this Section. The notice shall be published at least 60
16 days but no more than 75 days prior to the date on which the
17 application must be submitted to the Chief County Assessment
18 Officer of the county in which the property is located. The
19 notice shall appear in a newspaper of general circulation in
20 the county.

21 Notwithstanding Sections 6 and 8 of the State Mandates Act,
22 no reimbursement by the State is required for the
23 implementation of any mandate created by this Section.

24 (Source: P.A. 99-143, eff. 7-27-15; 99-180, eff. 7-29-15;
25 99-581, eff. 1-1-17; 99-642, eff. 7-28-16; 100-401, eff.
26 8-25-17; 100-513, eff. 1-1-18; 100-863, eff. 8-14-18.)

1 (35 ILCS 200/15-175)

2 Sec. 15-175. General homestead exemption.

3 (a) Except as provided in Sections 15-176 and 15-177,
4 homestead property is entitled to an annual homestead exemption
5 limited, except as described here with relation to cooperatives
6 or life care facilities, to a reduction in the equalized
7 assessed value of homestead property equal to the increase in
8 equalized assessed value for the current assessment year above
9 the equalized assessed value of the property for 1977, up to
10 the maximum reduction set forth below. If however, the 1977
11 equalized assessed value upon which taxes were paid is
12 subsequently determined by local assessing officials, the
13 Property Tax Appeal Board, or a court to have been excessive,
14 the equalized assessed value which should have been placed on
15 the property for 1977 shall be used to determine the amount of
16 the exemption.

17 (b) Except as provided in Section 15-176, the maximum
18 reduction before taxable year 2004 shall be \$4,500 in counties
19 with 3,000,000 or more inhabitants and \$3,500 in all other
20 counties. Except as provided in Sections 15-176 and 15-177, for
21 taxable years 2004 through 2007, the maximum reduction shall be
22 \$5,000, for taxable year 2008, the maximum reduction is \$5,500,
23 and, for taxable years 2009 through 2011, the maximum reduction
24 is \$6,000 in all counties. For taxable years 2012 through 2016,
25 the maximum reduction is \$7,000 in counties with 3,000,000 or

1 more inhabitants and \$6,000 in all other counties. For taxable
2 years 2017 and thereafter, the maximum reduction is \$10,000 in
3 counties with 3,000,000 or more inhabitants and \$6,000 in all
4 other counties. If a county has elected to subject itself to
5 the provisions of Section 15-176 as provided in subsection (k)
6 of that Section, then, for the first taxable year only after
7 the provisions of Section 15-176 no longer apply, for owners
8 who, for the taxable year, have not been granted a senior
9 citizens assessment freeze homestead exemption under Section
10 15-172 or a long-time occupant homestead exemption under
11 Section 15-177, there shall be an additional exemption of
12 \$5,000 for owners with a household income of \$30,000 or less.

13 (c) In counties with fewer than 3,000,000 inhabitants, if,
14 based on the most recent assessment, the equalized assessed
15 value of the homestead property for the current assessment year
16 is greater than the equalized assessed value of the property
17 for 1977, the owner of the property shall automatically receive
18 the exemption granted under this Section in an amount equal to
19 the increase over the 1977 assessment up to the maximum
20 reduction set forth in this Section.

21 (d) If in any assessment year beginning with the 2000
22 assessment year, homestead property has a pro-rata valuation
23 under Section 9-180 resulting in an increase in the assessed
24 valuation, a reduction in equalized assessed valuation equal to
25 the increase in equalized assessed value of the property for
26 the year of the pro-rata valuation above the equalized assessed

1 value of the property for 1977 shall be applied to the property
2 on a proportionate basis for the period the property qualified
3 as homestead property during the assessment year. The maximum
4 proportionate homestead exemption shall not exceed the maximum
5 homestead exemption allowed in the county under this Section
6 divided by 365 and multiplied by the number of days the
7 property qualified as homestead property.

8 (d-1) In counties with 3,000,000 or more inhabitants, where
9 the chief county assessment officer provides a notice of
10 discovery, if a property is not occupied by its owner as a
11 principal residence as of January 1 of the current tax year,
12 then the property owner shall notify the chief county
13 assessment officer of that fact on a form prescribed by the
14 chief county assessment officer. That notice must be received
15 by the chief county assessment officer on or before March 1 of
16 the collection year. If mailed, the form shall be sent by
17 certified mail, return receipt requested. If the form is
18 provided in person, the chief county assessment officer shall
19 provide a date stamped copy of the notice. Failure to provide
20 timely notice pursuant to this subsection (d-1) shall result in
21 the exemption being treated as an erroneous exemption. Upon
22 timely receipt of the notice for the current tax year, no
23 exemption shall be applied to the property for the current tax
24 year. If the exemption is not removed upon timely receipt of
25 the notice by the chief assessment officer, then the error is
26 considered granted as a result of a clerical error or omission

1 on the part of the chief county assessment officer as described
2 in subsection (h) of Section 9-275, and the property owner
3 shall not be liable for the payment of interest and penalties
4 due to the erroneous exemption for the current tax year for
5 which the notice was filed after the date that notice was
6 timely received pursuant to this subsection. Notice provided
7 under this subsection shall not constitute a defense or amnesty
8 for prior year erroneous exemptions.

9 For the purposes of this subsection (d-1):

10 "Collection year" means the year in which the first and
11 second installment of the current tax year is billed.

12 "Current tax year" means the year prior to the collection
13 year.

14 (e) The chief county assessment officer may, when
15 considering whether to grant a leasehold exemption under this
16 Section, require the following conditions to be met:

17 (1) that a notarized application for the exemption,
18 signed by both the owner and the lessee of the property,
19 must be submitted each year during the application period
20 in effect for the county in which the property is located;

21 (2) that a copy of the lease must be filed with the
22 chief county assessment officer by the owner of the
23 property at the time the notarized application is
24 submitted;

25 (3) that the lease must expressly state that the lessee
26 is liable for the payment of property taxes; and

1 (4) that the lease must include the following language
2 in substantially the following form:

3 "Lessee shall be liable for the payment of real
4 estate taxes with respect to the residence in
5 accordance with the terms and conditions of Section
6 15-175 of the Property Tax Code (35 ILCS 200/15-175).
7 The permanent real estate index number for the premises
8 is (insert number), and, according to the most recent
9 property tax bill, the current amount of real estate
10 taxes associated with the premises is (insert amount)
11 per year. The parties agree that the monthly rent set
12 forth above shall be increased or decreased pro rata
13 (effective January 1 of each calendar year) to reflect
14 any increase or decrease in real estate taxes. Lessee
15 shall be deemed to be satisfying Lessee's liability for
16 the above mentioned real estate taxes with the monthly
17 rent payments as set forth above (or increased or
18 decreased as set forth herein).".

19 In addition, if there is a change in lessee, or if the
20 lessee vacates the property, then the chief county assessment
21 officer may require the owner of the property to notify the
22 chief county assessment officer of that change.

23 This subsection (e) does not apply to leasehold interests
24 in property owned by a municipality.

25 (f) "Homestead property" under this Section includes
26 residential property that is occupied by its owner or owners as

1 his or their principal dwelling place, or that is a leasehold
2 interest on which a single family residence is situated, which
3 is occupied as a residence by a person who has an ownership
4 interest therein, legal or equitable or as a lessee, and on
5 which the person is liable for the payment of property taxes.
6 For land improved with an apartment building owned and operated
7 as a cooperative, the maximum reduction from the equalized
8 assessed value shall be limited to the increase in the value
9 above the equalized assessed value of the property for 1977, up
10 to the maximum reduction set forth above, multiplied by the
11 number of apartments or units occupied by a person or persons
12 who is liable, by contract with the owner or owners of record,
13 for paying property taxes on the property and is an owner of
14 record of a legal or equitable interest in the cooperative
15 apartment building, other than a leasehold interest. For land
16 improved with a life care facility, the maximum reduction from
17 the value of the property, as equalized by the Department,
18 shall be multiplied by the number of apartments or units
19 occupied by a person or persons, irrespective of any legal,
20 equitable, or leasehold interest in the facility, who are
21 liable, under a life care contract with the owner or owners of
22 record of the facility, for paying property taxes on the
23 property. For purposes of this Section, the term "life care
24 facility" has the meaning stated in Section 15-170.

25 "Household", as used in this Section, means the owner, the
26 spouse of the owner, and all persons using the residence of the

1 owner as their principal place of residence.

2 "Household income", as used in this Section, means the
3 combined income of the members of a household for the calendar
4 year preceding the taxable year.

5 "Income", as used in this Section, has the same meaning as
6 provided in Section 3.07 of the Senior Citizens and Persons
7 with Disabilities Property Tax Relief and Pharmaceutical
8 Assistance Act, except that "income" does not include veteran's
9 benefits.

10 (g) In a cooperative or life care facility where a
11 homestead exemption has been granted, the cooperative
12 association or the management of the cooperative or life care
13 facility shall credit the savings resulting from that exemption
14 only to the apportioned tax liability of the owner or resident
15 who qualified for the exemption. Any person who willfully
16 refuses to so credit the savings shall be guilty of a Class B
17 misdemeanor.

18 (h) Where married persons maintain and reside in separate
19 residences qualifying as homestead property, each residence
20 shall receive 50% of the total reduction in equalized assessed
21 valuation provided by this Section.

22 (i) In all counties, the assessor or chief county
23 assessment officer may determine the eligibility of
24 residential property to receive the homestead exemption and the
25 amount of the exemption by application, visual inspection,
26 questionnaire or other reasonable methods. The determination

1 shall be made in accordance with guidelines established by the
2 Department, provided that the taxpayer applying for an
3 additional general exemption under this Section shall submit to
4 the chief county assessment officer an application with an
5 affidavit of the applicant's total household income, age,
6 marital status (and, if married, the name and address of the
7 applicant's spouse, if known), and principal dwelling place of
8 members of the household on January 1 of the taxable year. The
9 Department shall issue guidelines establishing a method for
10 verifying the accuracy of the affidavits filed by applicants
11 under this paragraph. The applications shall be clearly marked
12 as applications for the Additional General Homestead
13 Exemption.

14 (i-5) This subsection (i-5) applies to counties with
15 3,000,000 or more inhabitants. In the event of a sale of
16 homestead property, the homestead exemption shall remain in
17 effect for the remainder of the assessment year of the sale.
18 Upon receipt of a transfer declaration transmitted by the
19 recorder pursuant to Section 31-30 of the Real Estate Transfer
20 Tax Law for property receiving an exemption under this Section,
21 the assessor shall mail a notice and forms to the new owner of
22 the property providing information pertaining to the rules and
23 applicable filing periods for applying or reapplying for
24 homestead exemptions under this Code for which the property may
25 be eligible. If the new owner fails to apply or reapply for a
26 homestead exemption during the applicable filing period or the

1 property no longer qualifies for an existing homestead
2 exemption, the assessor shall cancel such exemption for any
3 ensuing assessment year.

4 (j) In counties with fewer than 3,000,000 inhabitants, in
5 the event of a sale of homestead property the homestead
6 exemption shall remain in effect for the remainder of the
7 assessment year of the sale. The assessor or chief county
8 assessment officer may require the new owner of the property to
9 apply for the homestead exemption for the following assessment
10 year.

11 (k) Notwithstanding Sections 6 and 8 of the State Mandates
12 Act, no reimbursement by the State is required for the
13 implementation of any mandate created by this Section.

14 (l) The changes made to this Section by this amendatory Act
15 of the 100th General Assembly are effective for the 2018 tax
16 year and thereafter.

17 (Source: P.A. 99-143, eff. 7-27-15; 99-164, eff. 7-28-15;
18 99-642, eff. 7-28-16; 99-851, eff. 8-19-16; 100-401, eff.
19 8-25-17; 100-1077, eff. 1-1-19.)

20 (35 ILCS 200/20-15)

21 Sec. 20-15. Information on bill or separate statement.
22 There shall be printed on each bill, or on a separate slip
23 which shall be mailed with the bill:

24 (a) a statement itemizing the rate at which taxes have
25 been extended for each of the taxing districts in the

1 county in whose district the property is located, and in
2 those counties utilizing electronic data processing
3 equipment the dollar amount of tax due from the person
4 assessed allocable to each of those taxing districts,
5 including a separate statement of the dollar amount of tax
6 due which is allocable to a tax levied under the Illinois
7 Local Library Act or to any other tax levied by a
8 municipality or township for public library purposes,

9 (b) a separate statement for each of the taxing
10 districts of the dollar amount of tax due which is
11 allocable to a tax levied under the Illinois Pension Code
12 or to any other tax levied by a municipality or township
13 for public pension or retirement purposes,

14 (c) the total tax rate,

15 (d) the total amount of tax due, and

16 (e) the amount by which the total tax and the tax
17 allocable to each taxing district differs from the
18 taxpayer's last prior tax bill.

19 The county treasurer shall ensure that only those taxing
20 districts in which a parcel of property is located shall be
21 listed on the bill for that property.

22 In all counties the statement shall also provide:

23 (1) the property index number or other suitable
24 description,

25 (2) the assessment of the property,

26 (3) the statutory amount of each homestead exemption

1 applied to the property,

2 (4) the assessed value of the property after
3 application of all homestead exemptions,

4 (5) the equalization factors imposed by the county and
5 by the Department, and

6 (6) the equalized assessment resulting from the
7 application of the equalization factors to the basic
8 assessment.

9 In all counties which do not classify property for purposes
10 of taxation, for property on which a single family residence is
11 situated the statement shall also include a statement to
12 reflect the fair cash value determined for the property. In all
13 counties which classify property for purposes of taxation in
14 accordance with Section 4 of Article IX of the Illinois
15 Constitution, for parcels of residential property in the lowest
16 assessment classification the statement shall also include a
17 statement to reflect the fair cash value determined for the
18 property.

19 In all counties, the statement must include information
20 that certain taxpayers may be eligible for tax exemptions,
21 abatements, and other assistance programs and that, for more
22 information, taxpayers should consult with the office of their
23 township or county assessor and with the Illinois Department of
24 Revenue.

25 In all counties, the statement shall include information
26 that certain taxpayers may be eligible for the Senior Citizens

1 and Persons with Disabilities Property Tax Relief and
2 Pharmaceutical Assistance Act and that applications are
3 available from the Illinois Department on Aging.

4 In counties which use the estimated or accelerated billing
5 methods, these statements shall only be provided with the final
6 installment of taxes due. The provisions of this Section create
7 a mandatory statutory duty. They are not merely directory or
8 discretionary. The failure or neglect of the collector to mail
9 the bill, or the failure of the taxpayer to receive the bill,
10 shall not affect the validity of any tax, or the liability for
11 the payment of any tax.

12 (Source: P.A. 99-143, eff. 7-27-15; 100-621, eff. 7-20-18.)

13 (35 ILCS 200/21-27)

14 Sec. 21-27. Waiver of interest penalty.

15 (a) On the recommendation of the county treasurer, the
16 county board may adopt a resolution under which an interest
17 penalty for the delinquent payment of taxes for any year that
18 otherwise would be imposed under Section 21-15, 21-20, or 21-25
19 shall be waived in the case of any person who meets all of the
20 following criteria:

21 (1) The person is determined eligible for a grant under
22 the Senior Citizens and Persons with Disabilities Property
23 Tax Relief and Pharmaceutical Assistance Act with respect
24 to the taxes for that year.

25 (2) The person requests, in writing, on a form approved

1 by the county treasurer, a waiver of the interest penalty,
2 and the request is filed with the county treasurer on or
3 before the first day of the month that an installment of
4 taxes is due.

5 (3) The person pays the installment of taxes due, in
6 full, on or before the third day of the month that the
7 installment is due.

8 (4) The county treasurer approves the request for a
9 waiver.

10 (b) With respect to property that qualifies as a brownfield
11 site under Section 58.2 of the Environmental Protection Act,
12 the county board, upon the recommendation of the county
13 treasurer, may adopt a resolution to waive an interest penalty
14 for the delinquent payment of taxes for any year that otherwise
15 would be imposed under Section 21-15, 21-20, or 21-25 if all of
16 the following criteria are met:

17 (1) the property has delinquent taxes and an
18 outstanding interest penalty and the amount of that
19 interest penalty is so large as to, possibly, result in all
20 of the taxes becoming uncollectible;

21 (2) the property is part of a redevelopment plan of a
22 unit of local government and that unit of local government
23 does not oppose the waiver of the interest penalty;

24 (3) the redevelopment of the property will benefit the
25 public interest by remediating the brownfield
26 contamination;

1 (4) the taxpayer delivers to the county treasurer (i) a
2 written request for a waiver of the interest penalty, on a
3 form approved by the county treasurer, and (ii) a copy of
4 the redevelopment plan for the property;

5 (5) the taxpayer pays, in full, the amount of up to the
6 amount of the first 2 installments of taxes due, to be held
7 in escrow pending the approval of the waiver, and enters
8 into an agreement with the county treasurer setting forth a
9 schedule for the payment of any remaining taxes due; and

10 (6) the county treasurer approves the request for a
11 waiver.

12 (Source: P.A. 99-143, eff. 7-27-15.)

13 Section 30. The Mobile Home Local Services Tax Act is
14 amended by changing Section 7 as follows:

15 (35 ILCS 515/7) (from Ch. 120, par. 1207)

16 Sec. 7. The local services tax for owners of mobile homes
17 who (a) are actually residing in such mobile homes, (b) hold
18 title to such mobile home as provided in the Illinois Vehicle
19 Code, and (c) are 65 years of age or older or are persons with
20 disabilities within the meaning of Section 3.14 of the Senior
21 Citizens and Persons with Disabilities Property Tax Relief and
22 Pharmaceutical Assistance Act on the annual billing date shall
23 be reduced to 80 percent of the tax provided for in Section 3
24 of this Act. Proof that a claimant has been issued an Illinois

1 Person with a Disability Identification Card stating that the
2 claimant is under a Class 2 disability, as provided in Section
3 4A of the Illinois Identification Card Act, shall constitute
4 proof that the person thereon named is a person with a
5 disability within the meaning of this Act. An application for
6 reduction of the tax shall be filed with the county clerk by
7 the individuals who are entitled to the reduction. If the
8 application is filed after May 1, the reduction in tax shall
9 begin with the next annual bill. Application for the reduction
10 in tax shall be done by submitting proof that the applicant has
11 been issued an Illinois Person with a Disability Identification
12 Card designating the applicant's disability as a Class 2
13 disability, or by affidavit in substantially the following
14 form:

15 APPLICATION FOR REDUCTION OF MOBILE HOME LOCAL SERVICES TAX

16 I hereby make application for a reduction to 80% of the
17 total tax imposed under "An Act to provide for a local services
18 tax on mobile homes".

19 (1) Senior Citizens

20 (a) I actually reside in the mobile home

21 (b) I hold title to the mobile home as provided in the
22 Illinois Vehicle Code

23 (c) I reached the age of 65 on or before either January 1
24 (or July 1) of the year in which this statement is filed. My
25 date of birth is: ...

26 (2) Persons with Disabilities

1 (a) I actually reside in the mobile home...

2 (b) I hold title to the mobile home as provided in the
3 Illinois Vehicle Code

4 (c) I became a person with a total disability on ... and
5 have remained a person with a disability until the date of this
6 application. My Social Security, Veterans, Railroad or Civil
7 Service Total Disability Claim Number is ... The undersigned
8 declares under the penalty of perjury that the above statements
9 are true and correct.

10 Dated (insert date).

11

12 Signature of owner

13

14 (Address)

15

16 (City) (State) (Zip)

17 Approved by:

18

19 (Assessor)

20 This application shall be accompanied by a copy of the
21 applicant's most recent application filed with the Illinois
22 Department on Aging under the Senior Citizens and Persons with
23 Disabilities Property Tax Relief and Pharmaceutical Assistance
24 Act.

25 (Source: P.A. 98-463, eff. 8-16-13; 99-143, eff. 7-27-15.)

1 Section 35. The Metropolitan Transit Authority Act is
2 amended by changing Sections 51 and 52 as follows:

3 (70 ILCS 3605/51)

4 Sec. 51. Free services; eligibility.

5 (a) Notwithstanding any law to the contrary, no later than
6 60 days following the effective date of this amendatory Act of
7 the 95th General Assembly and until subsection (b) is
8 implemented, any fixed route public transportation services
9 provided by, or under grant or purchase of service contracts
10 of, the Board shall be provided without charge to all senior
11 citizens of the Metropolitan Region (as such term is defined in
12 70 ILCS 3615/1.03) aged 65 and older, under such conditions as
13 shall be prescribed by the Board.

14 (b) Notwithstanding any law to the contrary, no later than
15 180 days following the effective date of this amendatory Act of
16 the 96th General Assembly, any fixed route public
17 transportation services provided by, or under grant or purchase
18 of service contracts of, the Board shall be provided without
19 charge to senior citizens aged 65 and older who meet the income
20 eligibility limitation set forth in subsection (a-5) of Section
21 4 of the Senior Citizens and Persons with Disabilities Property
22 Tax Relief and Pharmaceutical Assistance Act, under such
23 conditions as shall be prescribed by the Board. The Department
24 on Aging shall furnish all information reasonably necessary to

1 determine eligibility, including updated lists of individuals
2 who are eligible for services without charge under this
3 Section. Nothing in this Section shall relieve the Board from
4 providing reduced fares as may be required by federal law.

5 (Source: P.A. 99-143, eff. 7-27-15.)

6 (70 ILCS 3605/52)

7 Sec. 52. Transit services for individuals with
8 disabilities. Notwithstanding any law to the contrary, no later
9 than 60 days following the effective date of this amendatory
10 Act of the 95th General Assembly, all fixed route public
11 transportation services provided by, or under grant or purchase
12 of service contract of, the Board shall be provided without
13 charge to all persons with disabilities who meet the income
14 eligibility limitation set forth in subsection (a-5) of Section
15 4 of the Senior Citizens and Persons with Disabilities Property
16 Tax Relief and Pharmaceutical Assistance Act, under such
17 procedures as shall be prescribed by the Board. The Department
18 on Aging shall furnish all information reasonably necessary to
19 determine eligibility, including updated lists of individuals
20 who are eligible for services without charge under this
21 Section.

22 (Source: P.A. 99-143, eff. 7-27-15.)

23 Section 40. The Local Mass Transit District Act is amended
24 by changing Sections 8.6 and 8.7 as follows:

1 (70 ILCS 3610/8.6)

2 Sec. 8.6. Free services; eligibility.

3 (a) Notwithstanding any law to the contrary, no later than
4 60 days following the effective date of this amendatory Act of
5 the 95th General Assembly and until subsection (b) is
6 implemented, any fixed route public transportation services
7 provided by, or under grant or purchase of service contracts
8 of, every District shall be provided without charge to all
9 senior citizens of the District aged 65 and older, under such
10 conditions as shall be prescribed by the District.

11 (b) Notwithstanding any law to the contrary, no later than
12 180 days following the effective date of this amendatory Act of
13 the 96th General Assembly, any fixed route public
14 transportation services provided by, or under grant or purchase
15 of service contracts of, every District shall be provided
16 without charge to senior citizens aged 65 and older who meet
17 the income eligibility limitation set forth in subsection (a-5)
18 of Section 4 of the Senior Citizens and Persons with
19 Disabilities Property Tax Relief and Pharmaceutical Assistance
20 Act, under such conditions as shall be prescribed by the
21 District. The Department on Aging shall furnish all information
22 reasonably necessary to determine eligibility, including
23 updated lists of individuals who are eligible for services
24 without charge under this Section. Nothing in this Section
25 shall relieve the District from providing reduced fares as may

1 be required by federal law.

2 (Source: P.A. 99-143, eff. 7-27-15.)

3 (70 ILCS 3610/8.7)

4 Sec. 8.7. Transit services for individuals with
5 disabilities. Notwithstanding any law to the contrary, no later
6 than 60 days following the effective date of this amendatory
7 Act of the 95th General Assembly, all fixed route public
8 transportation services provided by, or under grant or purchase
9 of service contract of, any District shall be provided without
10 charge to all persons with disabilities who meet the income
11 eligibility limitation set forth in subsection (a-5) of Section
12 4 of the Senior Citizens and Persons with Disabilities Property
13 Tax Relief and Pharmaceutical Assistance Act, under such
14 procedures as shall be prescribed by the District. The
15 Department on Aging shall furnish all information reasonably
16 necessary to determine eligibility, including updated lists of
17 individuals who are eligible for services without charge under
18 this Section.

19 (Source: P.A. 99-143, eff. 7-27-15.)

20 Section 45. The Regional Transportation Authority Act is
21 amended by changing Sections 3A.15, 3A.16, 3B.14, and 3B.15 as
22 follows:

23 (70 ILCS 3615/3A.15)

1 Sec. 3A.15. Free services; eligibility.

2 (a) Notwithstanding any law to the contrary, no later than
3 60 days following the effective date of this amendatory Act of
4 the 95th General Assembly and until subsection (b) is
5 implemented, any fixed route public transportation services
6 provided by, or under grant or purchase of service contracts
7 of, the Suburban Bus Board shall be provided without charge to
8 all senior citizens of the Metropolitan Region aged 65 and
9 older, under such conditions as shall be prescribed by the
10 Suburban Bus Board.

11 (b) Notwithstanding any law to the contrary, no later than
12 180 days following the effective date of this amendatory Act of
13 the 96th General Assembly, any fixed route public
14 transportation services provided by, or under grant or purchase
15 of service contracts of, the Suburban Bus Board shall be
16 provided without charge to senior citizens aged 65 and older
17 who meet the income eligibility limitation set forth in
18 subsection (a-5) of Section 4 of the Senior Citizens and
19 Persons with Disabilities Property Tax Relief and
20 Pharmaceutical Assistance Act, under such conditions as shall
21 be prescribed by the Suburban Bus Board. The Department on
22 Aging shall furnish all information reasonably necessary to
23 determine eligibility, including updated lists of individuals
24 who are eligible for services without charge under this
25 Section. Nothing in this Section shall relieve the Suburban Bus
26 Board from providing reduced fares as may be required by

1 federal law.

2 (Source: P.A. 99-143, eff. 7-27-15.)

3 (70 ILCS 3615/3A.16)

4 Sec. 3A.16. Transit services for individuals with
5 disabilities. Notwithstanding any law to the contrary, no later
6 than 60 days following the effective date of this amendatory
7 Act of the 95th General Assembly, all fixed route public
8 transportation services provided by, or under grant or purchase
9 of service contract of, the Suburban Bus Board shall be
10 provided without charge to all persons with disabilities who
11 meet the income eligibility limitation set forth in subsection
12 (a-5) of Section 4 of the Senior Citizens and Persons with
13 Disabilities Property Tax Relief and Pharmaceutical Assistance
14 Act, under such procedures as shall be prescribed by the Board.
15 The Department on Aging shall furnish all information
16 reasonably necessary to determine eligibility, including
17 updated lists of individuals who are eligible for services
18 without charge under this Section.

19 (Source: P.A. 99-143, eff. 7-27-15.)

20 (70 ILCS 3615/3B.14)

21 Sec. 3B.14. Free services; eligibility.

22 (a) Notwithstanding any law to the contrary, no later than
23 60 days following the effective date of this amendatory Act of
24 the 95th General Assembly and until subsection (b) is

1 implemented, any fixed route public transportation services
2 provided by, or under grant or purchase of service contracts
3 of, the Commuter Rail Board shall be provided without charge to
4 all senior citizens of the Metropolitan Region aged 65 and
5 older, under such conditions as shall be prescribed by the
6 Commuter Rail Board.

7 (b) Notwithstanding any law to the contrary, no later than
8 180 days following the effective date of this amendatory Act of
9 the 96th General Assembly, any fixed route public
10 transportation services provided by, or under grant or purchase
11 of service contracts of, the Commuter Rail Board shall be
12 provided without charge to senior citizens aged 65 and older
13 who meet the income eligibility limitation set forth in
14 subsection (a-5) of Section 4 of the Senior Citizens and
15 Persons with Disabilities Property Tax Relief and
16 Pharmaceutical Assistance Act, under such conditions as shall
17 be prescribed by the Commuter Rail Board. The Department on
18 Aging shall furnish all information reasonably necessary to
19 determine eligibility, including updated lists of individuals
20 who are eligible for services without charge under this
21 Section. Nothing in this Section shall relieve the Commuter
22 Rail Board from providing reduced fares as may be required by
23 federal law.

24 (Source: P.A. 99-143, eff. 7-27-15.)

25 (70 ILCS 3615/3B.15)

1 Sec. 3B.15. Transit services for individuals with
2 disabilities. Notwithstanding any law to the contrary, no later
3 than 60 days following the effective date of this amendatory
4 Act of the 95th General Assembly, all fixed route public
5 transportation services provided by, or under grant or purchase
6 of service contract of, the Commuter Rail Board shall be
7 provided without charge to all persons with disabilities who
8 meet the income eligibility limitation set forth in subsection
9 (a-5) of Section 4 of the Senior Citizens and Persons with
10 Disabilities Property Tax Relief and Pharmaceutical Assistance
11 Act, under such procedures as shall be prescribed by the Board.
12 The Department on Aging shall furnish all information
13 reasonably necessary to determine eligibility, including
14 updated lists of individuals who are eligible for services
15 without charge under this Section.

16 (Source: P.A. 99-143, eff. 7-27-15.)

17 Section 50. The Senior Citizen Courses Act is amended by
18 changing Section 1 as follows:

19 (110 ILCS 990/1) (from Ch. 144, par. 1801)

20 Sec. 1. Definitions. For the purposes of this Act:

21 (a) "Public institutions of higher education" means the
22 University of Illinois, Southern Illinois University, Chicago
23 State University, Eastern Illinois University, Governors State
24 University, Illinois State University, Northeastern Illinois

1 University, Northern Illinois University, Western Illinois
2 University, and the public community colleges subject to the
3 "Public Community College Act".

4 (b) "Credit Course" means any program of study for which
5 public institutions of higher education award credit hours.

6 (c) "Senior citizen" means any person 65 years or older
7 whose annual household income is less than the threshold amount
8 provided in Section 4 of the "Senior Citizens and Persons with
9 Disabilities Property Tax Relief and Pharmaceutical Assistance
10 Act", approved July 17, 1972, as amended.

11 (Source: P.A. 99-143, eff. 7-27-15.)

12 Section 55. The Citizens Utility Board Act is amended by
13 changing Section 9 as follows:

14 (220 ILCS 10/9) (from Ch. 111 2/3, par. 909)

15 Sec. 9. Mailing procedure.

16 (1) As used in this Section:

17 (a) "Enclosure" means a card, leaflet, envelope or
18 combination thereof furnished by the corporation under
19 this Section.

20 (b) "Mailing" means any communication by a State
21 agency, other than a mailing made under the Senior Citizens
22 and Persons with Disabilities Property Tax Relief and
23 Pharmaceutical Assistance Act, that is sent through the
24 United States Postal Service to more than 50,000 persons

1 within a 12-month period.

2 (c) "State agency" means any officer, department,
3 board, commission, institution or entity of the executive
4 or legislative branches of State government.

5 (2) To accomplish its powers and duties under Section 5
6 this Act, the corporation, subject to the following
7 limitations, may prepare and furnish to any State agency an
8 enclosure to be included with a mailing by that agency.

9 (a) A State agency furnished with an enclosure shall
10 include the enclosure within the mailing designated by the
11 corporation.

12 (b) An enclosure furnished by the corporation under
13 this Section shall be provided to the State agency a
14 reasonable period of time in advance of the mailing.

15 (c) An enclosure furnished by the corporation under
16 this Section shall be limited to informing the reader of
17 the purpose, nature and activities of the corporation as
18 set forth in this Act and informing the reader that it may
19 become a member in the corporation, maintain membership in
20 the corporation and contribute money to the corporation
21 directly.

22 (d) Prior to furnishing an enclosure to the State
23 agency, the corporation shall seek and obtain approval of
24 the content of the enclosure from the Illinois Commerce
25 Commission. The Commission shall approve the enclosure if
26 it determines that the enclosure (i) is not false or

1 misleading and (ii) satisfies the requirements of this Act.
2 The Commission shall be deemed to have approved the
3 enclosure unless it disapproves the enclosure within 14
4 days from the date of receipt.

5 (3) The corporation shall reimburse each State agency for
6 all reasonable incremental costs incurred by the State agency
7 in complying with this Section above the agency's normal
8 mailing and handling costs, provided that:

9 (a) The State agency shall first furnish the
10 corporation with an itemized accounting of such additional
11 cost; and

12 (b) The corporation shall not be required to reimburse
13 the State agency for postage costs if the weight of the
14 corporation's enclosure does not exceed .35 ounce
15 avoirdupois. If the corporation's enclosure exceeds that
16 weight, then it shall only be required to reimburse the
17 State agency for postage cost over and above what the
18 agency's postage cost would have been had the enclosure
19 weighed only .35 ounce avoirdupois.

20 (Source: P.A. 99-143, eff. 7-27-15.)

21 Section 60. The Illinois Public Aid Code is amended by
22 changing Sections 3-5, 4-1.6, 4-2, 5-2, 5-4, 6-1.2, 6-2, and
23 12-9 as follows:

24 (305 ILCS 5/3-5) (from Ch. 23, par. 3-5)

1 Sec. 3-5. Amount of aid. The amount and nature of financial
2 aid granted to or in behalf of aged, blind, or disabled persons
3 shall be determined in accordance with the standards, grant
4 amounts, rules and regulations of the Illinois Department. Due
5 regard shall be given to the requirements and conditions
6 existing in each case, and to the amount of property owned and
7 the income, money contributions, and other support, and
8 resources received or obtainable by the person, from whatever
9 source. However, the amount and nature of any financial aid is
10 not affected by the payment of any grant under the "Senior
11 Citizens and Persons with Disabilities ~~Disabled Persons~~
12 Property Tax Relief Act" or any distributions or items of
13 income described under subparagraph (X) of paragraph (2) of
14 subsection (a) of Section 203 of the Illinois Income Tax Act.
15 The aid shall be sufficient, when added to all other income,
16 money contributions and support, to provide the person with a
17 grant in the amount established by Department regulation for
18 such a person, based upon standards providing a livelihood
19 compatible with health and well-being. Financial aid under this
20 Article granted to persons who have been found ineligible for
21 Supplemental Security Income (SSI) due to expiration of the
22 period of eligibility for refugees and asylees pursuant to 8
23 U.S.C. 1612(a)(2) shall equal 90% of the current maximum SSI
24 payment amount per month.

25 (Source: P.A. 97-689, eff. 6-14-12; 98-674, eff. 6-30-14.)

1 (305 ILCS 5/4-1.6) (from Ch. 23, par. 4-1.6)

2 Sec. 4-1.6. Need. Income available to the family as defined
3 by the Illinois Department by rule, or to the child in the case
4 of a child removed from his or her home, when added to
5 contributions in money, substance or services from other
6 sources, including income available from parents absent from
7 the home or from a stepparent, contributions made for the
8 benefit of the parent or other persons necessary to provide
9 care and supervision to the child, and contributions from
10 legally responsible relatives, must be equal to or less than
11 the grant amount established by Department regulation for such
12 a person. For purposes of eligibility for aid under this
13 Article, the Department shall (a) disregard all earned income
14 between the grant amount and 50% of the Federal Poverty Level
15 and (b) disregard the value of all assets held by the family.

16 In considering income to be taken into account,
17 consideration shall be given to any expenses reasonably
18 attributable to the earning of such income. Three-fourths of
19 the earned income of a household eligible for aid under this
20 Article shall be disregarded when determining the level of
21 assistance for which a household is eligible. The first \$100 of
22 child support collected on behalf of a family in a month for
23 one child and the first \$200 of child support collected on
24 behalf of a family in a month for 2 or more children shall be
25 passed through to the family and disregarded in determining the
26 amount of the assistance grant provided to the family under

1 this Article. Any amount of child support that would be
2 disregarded in determining the amount of the assistance grant
3 shall be disregarded in determining eligibility for cash
4 assistance provided under this Article. The Illinois
5 Department may also permit all or any portion of earned or
6 other income to be set aside for the future identifiable needs
7 of a child. The Illinois Department may provide by rule and
8 regulation for the exemptions thus permitted or required. The
9 eligibility of any applicant for or recipient of public aid
10 under this Article is not affected by the payment of any grant
11 under the "Senior Citizens and Persons with Disabilities
12 Property Tax Relief and Pharmaceutical Assistance Act" or any
13 distributions or items of income described under subparagraph
14 (X) of paragraph (2) of subsection (a) of Section 203 of the
15 Illinois Income Tax Act.

16 The Illinois Department may, by rule, set forth criteria
17 under which an assistance unit is ineligible for cash
18 assistance under this Article for a specified number of months
19 due to the receipt of a lump sum payment.

20 (Source: P.A. 98-114, eff. 7-29-13; 99-143, eff. 7-27-15;
21 99-899, eff. 1-1-17.)

22 (305 ILCS 5/4-2) (from Ch. 23, par. 4-2)

23 Sec. 4-2. Amount of aid.

24 (a) The amount and nature of financial aid shall be
25 determined in accordance with the grant amounts, rules and

1 regulations of the Illinois Department. Due regard shall be
2 given to the self-sufficiency requirements of the family and to
3 the income, money contributions and other support and resources
4 available, from whatever source. However, the amount and nature
5 of any financial aid is not affected by the payment of any
6 grant under the "Senior Citizens and Persons with Disabilities
7 Property Tax Relief and Pharmaceutical Assistance Act" or any
8 distributions or items of income described under subparagraph
9 (X) of paragraph (2) of subsection (a) of Section 203 of the
10 Illinois Income Tax Act. The aid shall be sufficient, when
11 added to all other income, money contributions and support to
12 provide the family with a grant in the amount established by
13 Department regulation.

14 Subject to appropriation, beginning on July 1, 2008, the
15 Department of Human Services shall increase TANF grant amounts
16 in effect on June 30, 2008 by 15%. The Department is authorized
17 to administer this increase but may not otherwise adopt any
18 rule to implement this increase.

19 (b) The Illinois Department may conduct special projects,
20 which may be known as Grant Diversion Projects, under which
21 recipients of financial aid under this Article are placed in
22 jobs and their grants are diverted to the employer who in turn
23 makes payments to the recipients in the form of salary or other
24 employment benefits. The Illinois Department shall by rule
25 specify the terms and conditions of such Grant Diversion
26 Projects. Such projects shall take into consideration and be

1 coordinated with the programs administered under the Illinois
2 Emergency Employment Development Act.

3 (c) The amount and nature of the financial aid for a child
4 requiring care outside his own home shall be determined in
5 accordance with the rules and regulations of the Illinois
6 Department, with due regard to the needs and requirements of
7 the child in the foster home or institution in which he has
8 been placed.

9 (d) If the Department establishes grants for family units
10 consisting exclusively of a pregnant woman with no dependent
11 child or including her husband if living with her, the grant
12 amount for such a unit shall be equal to the grant amount for
13 an assistance unit consisting of one adult, or 2 persons if the
14 husband is included. Other than as herein described, an unborn
15 child shall not be counted in determining the size of an
16 assistance unit or for calculating grants.

17 Payments for basic maintenance requirements of a child or
18 children and the relative with whom the child or children are
19 living shall be prescribed, by rule, by the Illinois
20 Department.

21 Grants under this Article shall not be supplemented by
22 General Assistance provided under Article VI.

23 (e) Grants shall be paid to the parent or other person with
24 whom the child or children are living, except for such amount
25 as is paid in behalf of the child or his parent or other
26 relative to other persons or agencies pursuant to this Code or

1 the rules and regulations of the Illinois Department.

2 (f) Subject to subsection (f-5), an assistance unit,
3 receiving financial aid under this Article or temporarily
4 ineligible to receive aid under this Article under a penalty
5 imposed by the Illinois Department for failure to comply with
6 the eligibility requirements or that voluntarily requests
7 termination of financial assistance under this Article and
8 becomes subsequently eligible for assistance within 9 months,
9 shall not receive any increase in the amount of aid solely on
10 account of the birth of a child; except that an increase is not
11 prohibited when the birth is (i) of a child of a pregnant woman
12 who became eligible for aid under this Article during the
13 pregnancy, or (ii) of a child born within 10 months after the
14 date of implementation of this subsection, or (iii) of a child
15 conceived after a family became ineligible for assistance due
16 to income or marriage and at least 3 months of ineligibility
17 expired before any reapplication for assistance. This
18 subsection does not, however, prevent a unit from receiving a
19 general increase in the amount of aid that is provided to all
20 recipients of aid under this Article.

21 The Illinois Department is authorized to transfer funds,
22 and shall use any budgetary savings attributable to not
23 increasing the grants due to the births of additional children,
24 to supplement existing funding for employment and training
25 services for recipients of aid under this Article IV. The
26 Illinois Department shall target, to the extent the

1 supplemental funding allows, employment and training services
2 to the families who do not receive a grant increase after the
3 birth of a child. In addition, the Illinois Department shall
4 provide, to the extent the supplemental funding allows, such
5 families with up to 24 months of transitional child care
6 pursuant to Illinois Department rules. All remaining
7 supplemental funds shall be used for employment and training
8 services or transitional child care support.

9 In making the transfers authorized by this subsection, the
10 Illinois Department shall first determine, pursuant to
11 regulations adopted by the Illinois Department for this
12 purpose, the amount of savings attributable to not increasing
13 the grants due to the births of additional children. Transfers
14 may be made from General Revenue Fund appropriations for
15 distributive purposes authorized by Article IV of this Code
16 only to General Revenue Fund appropriations for employability
17 development services including operating and administrative
18 costs and related distributive purposes under Article IXA of
19 this Code. The Director, with the approval of the Governor,
20 shall certify the amount and affected line item appropriations
21 to the State Comptroller.

22 Nothing in this subsection shall be construed to prohibit
23 the Illinois Department from using funds under this Article IV
24 to provide assistance in the form of vouchers that may be used
25 to pay for goods and services deemed by the Illinois
26 Department, by rule, as suitable for the care of the child such

1 as diapers, clothing, school supplies, and cribs.

2 (f-5) Subsection (f) shall not apply to affect the monthly
3 assistance amount of any family as a result of the birth of a
4 child on or after January 1, 2004. As resources permit after
5 January 1, 2004, the Department may cease applying subsection
6 (f) to limit assistance to families receiving assistance under
7 this Article on January 1, 2004, with respect to children born
8 prior to that date. In any event, subsection (f) shall be
9 completely inoperative on and after July 1, 2007.

10 (g) (Blank).

11 (h) Notwithstanding any other provision of this Code, the
12 Illinois Department is authorized to reduce payment levels used
13 to determine cash grants under this Article after December 31
14 of any fiscal year if the Illinois Department determines that
15 the caseload upon which the appropriations for the current
16 fiscal year are based have increased by more than 5% and the
17 appropriation is not sufficient to ensure that cash benefits
18 under this Article do not exceed the amounts appropriated for
19 those cash benefits. Reductions in payment levels may be
20 accomplished by emergency rule under Section 5-45 of the
21 Illinois Administrative Procedure Act, except that the
22 limitation on the number of emergency rules that may be adopted
23 in a 24-month period shall not apply and the provisions of
24 Sections 5-115 and 5-125 of the Illinois Administrative
25 Procedure Act shall not apply. Increases in payment levels
26 shall be accomplished only in accordance with Section 5-40 of

1 the Illinois Administrative Procedure Act. Before any rule to
2 increase payment levels promulgated under this Section shall
3 become effective, a joint resolution approving the rule must be
4 adopted by a roll call vote by a majority of the members
5 elected to each chamber of the General Assembly.

6 (Source: P.A. 99-143, eff. 7-27-15.)

7 (305 ILCS 5/5-2) (from Ch. 23, par. 5-2)

8 Sec. 5-2. Classes of Persons Eligible.

9 Medical assistance under this Article shall be available to
10 any of the following classes of persons in respect to whom a
11 plan for coverage has been submitted to the Governor by the
12 Illinois Department and approved by him. If changes made in
13 this Section 5-2 require federal approval, they shall not take
14 effect until such approval has been received:

15 1. Recipients of basic maintenance grants under
16 Articles III and IV.

17 2. Beginning January 1, 2014, persons otherwise
18 eligible for basic maintenance under Article III,
19 excluding any eligibility requirements that are
20 inconsistent with any federal law or federal regulation, as
21 interpreted by the U.S. Department of Health and Human
22 Services, but who fail to qualify thereunder on the basis
23 of need, and who have insufficient income and resources to
24 meet the costs of necessary medical care, including but not
25 limited to the following:

1 (a) All persons otherwise eligible for basic
2 maintenance under Article III but who fail to qualify
3 under that Article on the basis of need and who meet
4 either of the following requirements:

5 (i) their income, as determined by the
6 Illinois Department in accordance with any federal
7 requirements, is equal to or less than 100% of the
8 federal poverty level; or

9 (ii) their income, after the deduction of
10 costs incurred for medical care and for other types
11 of remedial care, is equal to or less than 100% of
12 the federal poverty level.

13 (b) (Blank).

14 3. (Blank).

15 4. Persons not eligible under any of the preceding
16 paragraphs who fall sick, are injured, or die, not having
17 sufficient money, property or other resources to meet the
18 costs of necessary medical care or funeral and burial
19 expenses.

20 5.(a) Women during pregnancy and during the 60-day
21 period beginning on the last day of the pregnancy, together
22 with their infants, whose income is at or below 200% of the
23 federal poverty level. Until September 30, 2019, or sooner
24 if the maintenance of effort requirements under the Patient
25 Protection and Affordable Care Act are eliminated or may be
26 waived before then, women during pregnancy and during the

1 60-day period beginning on the last day of the pregnancy,
2 whose countable monthly income, after the deduction of
3 costs incurred for medical care and for other types of
4 remedial care as specified in administrative rule, is equal
5 to or less than the Medical Assistance-No Grant(C)
6 (MANG(C)) Income Standard in effect on April 1, 2013 as set
7 forth in administrative rule.

8 (b) The plan for coverage shall provide ambulatory
9 prenatal care to pregnant women during a presumptive
10 eligibility period and establish an income eligibility
11 standard that is equal to 200% of the federal poverty
12 level, provided that costs incurred for medical care are
13 not taken into account in determining such income
14 eligibility.

15 (c) The Illinois Department may conduct a
16 demonstration in at least one county that will provide
17 medical assistance to pregnant women, together with their
18 infants and children up to one year of age, where the
19 income eligibility standard is set up to 185% of the
20 nonfarm income official poverty line, as defined by the
21 federal Office of Management and Budget. The Illinois
22 Department shall seek and obtain necessary authorization
23 provided under federal law to implement such a
24 demonstration. Such demonstration may establish resource
25 standards that are not more restrictive than those
26 established under Article IV of this Code.

1 6. (a) Children younger than age 19 when countable
2 income is at or below 133% of the federal poverty level.
3 Until September 30, 2019, or sooner if the maintenance of
4 effort requirements under the Patient Protection and
5 Affordable Care Act are eliminated or may be waived before
6 then, children younger than age 19 whose countable monthly
7 income, after the deduction of costs incurred for medical
8 care and for other types of remedial care as specified in
9 administrative rule, is equal to or less than the Medical
10 Assistance-No Grant(C) (MANG(C)) Income Standard in effect
11 on April 1, 2013 as set forth in administrative rule.

12 (b) Children and youth who are under temporary custody
13 or guardianship of the Department of Children and Family
14 Services or who receive financial assistance in support of
15 an adoption or guardianship placement from the Department
16 of Children and Family Services.

17 7. (Blank).

18 8. As required under federal law, persons who are
19 eligible for Transitional Medical Assistance as a result of
20 an increase in earnings or child or spousal support
21 received. The plan for coverage for this class of persons
22 shall:

23 (a) extend the medical assistance coverage to the
24 extent required by federal law; and

25 (b) offer persons who have initially received 6
26 months of the coverage provided in paragraph (a) above,

1 the option of receiving an additional 6 months of
2 coverage, subject to the following:

3 (i) such coverage shall be pursuant to
4 provisions of the federal Social Security Act;

5 (ii) such coverage shall include all services
6 covered under Illinois' State Medicaid Plan;

7 (iii) no premium shall be charged for such
8 coverage; and

9 (iv) such coverage shall be suspended in the
10 event of a person's failure without good cause to
11 file in a timely fashion reports required for this
12 coverage under the Social Security Act and
13 coverage shall be reinstated upon the filing of
14 such reports if the person remains otherwise
15 eligible.

16 9. Persons with acquired immunodeficiency syndrome
17 (AIDS) or with AIDS-related conditions with respect to whom
18 there has been a determination that but for home or
19 community-based services such individuals would require
20 the level of care provided in an inpatient hospital,
21 skilled nursing facility or intermediate care facility the
22 cost of which is reimbursed under this Article. Assistance
23 shall be provided to such persons to the maximum extent
24 permitted under Title XIX of the Federal Social Security
25 Act.

26 10. Participants in the long-term care insurance

1 partnership program established under the Illinois
2 Long-Term Care Partnership Program Act who meet the
3 qualifications for protection of resources described in
4 Section 15 of that Act.

5 11. Persons with disabilities who are employed and
6 eligible for Medicaid, pursuant to Section
7 1902(a)(10)(A)(ii)(xv) of the Social Security Act, and,
8 subject to federal approval, persons with a medically
9 improved disability who are employed and eligible for
10 Medicaid pursuant to Section 1902(a)(10)(A)(ii)(xvi) of
11 the Social Security Act, as provided by the Illinois
12 Department by rule. In establishing eligibility standards
13 under this paragraph 11, the Department shall, subject to
14 federal approval:

15 (a) set the income eligibility standard at not
16 lower than 350% of the federal poverty level;

17 (b) exempt retirement accounts that the person
18 cannot access without penalty before the age of 59 1/2,
19 and medical savings accounts established pursuant to
20 26 U.S.C. 220;

21 (c) allow non-exempt assets up to \$25,000 as to
22 those assets accumulated during periods of eligibility
23 under this paragraph 11; and

24 (d) continue to apply subparagraphs (b) and (c) in
25 determining the eligibility of the person under this
26 Article even if the person loses eligibility under this

1 paragraph 11.

2 12. Subject to federal approval, persons who are
3 eligible for medical assistance coverage under applicable
4 provisions of the federal Social Security Act and the
5 federal Breast and Cervical Cancer Prevention and
6 Treatment Act of 2000. Those eligible persons are defined
7 to include, but not be limited to, the following persons:

8 (1) persons who have been screened for breast or
9 cervical cancer under the U.S. Centers for Disease
10 Control and Prevention Breast and Cervical Cancer
11 Program established under Title XV of the federal
12 Public Health Services Act in accordance with the
13 requirements of Section 1504 of that Act as
14 administered by the Illinois Department of Public
15 Health; and

16 (2) persons whose screenings under the above
17 program were funded in whole or in part by funds
18 appropriated to the Illinois Department of Public
19 Health for breast or cervical cancer screening.

20 "Medical assistance" under this paragraph 12 shall be
21 identical to the benefits provided under the State's
22 approved plan under Title XIX of the Social Security Act.
23 The Department must request federal approval of the
24 coverage under this paragraph 12 within 30 days after the
25 effective date of this amendatory Act of the 92nd General
26 Assembly.

1 In addition to the persons who are eligible for medical
2 assistance pursuant to subparagraphs (1) and (2) of this
3 paragraph 12, and to be paid from funds appropriated to the
4 Department for its medical programs, any uninsured person
5 as defined by the Department in rules residing in Illinois
6 who is younger than 65 years of age, who has been screened
7 for breast and cervical cancer in accordance with standards
8 and procedures adopted by the Department of Public Health
9 for screening, and who is referred to the Department by the
10 Department of Public Health as being in need of treatment
11 for breast or cervical cancer is eligible for medical
12 assistance benefits that are consistent with the benefits
13 provided to those persons described in subparagraphs (1)
14 and (2). Medical assistance coverage for the persons who
15 are eligible under the preceding sentence is not dependent
16 on federal approval, but federal moneys may be used to pay
17 for services provided under that coverage upon federal
18 approval.

19 13. Subject to appropriation and to federal approval,
20 persons living with HIV/AIDS who are not otherwise eligible
21 under this Article and who qualify for services covered
22 under Section 5-5.04 as provided by the Illinois Department
23 by rule.

24 14. Subject to the availability of funds for this
25 purpose, the Department may provide coverage under this
26 Article to persons who reside in Illinois who are not

1 eligible under any of the preceding paragraphs and who meet
2 the income guidelines of paragraph 2(a) of this Section and
3 (i) have an application for asylum pending before the
4 federal Department of Homeland Security or on appeal before
5 a court of competent jurisdiction and are represented
6 either by counsel or by an advocate accredited by the
7 federal Department of Homeland Security and employed by a
8 not-for-profit organization in regard to that application
9 or appeal, or (ii) are receiving services through a
10 federally funded torture treatment center. Medical
11 coverage under this paragraph 14 may be provided for up to
12 24 continuous months from the initial eligibility date so
13 long as an individual continues to satisfy the criteria of
14 this paragraph 14. If an individual has an appeal pending
15 regarding an application for asylum before the Department
16 of Homeland Security, eligibility under this paragraph 14
17 may be extended until a final decision is rendered on the
18 appeal. The Department may adopt rules governing the
19 implementation of this paragraph 14.

20 15. Family Care Eligibility.

21 (a) On and after July 1, 2012, a parent or other
22 caretaker relative who is 19 years of age or older when
23 countable income is at or below 133% of the federal
24 poverty level. A person may not spend down to become
25 eligible under this paragraph 15.

26 (b) Eligibility shall be reviewed annually.

1 (c) (Blank).

2 (d) (Blank).

3 (e) (Blank).

4 (f) (Blank).

5 (g) (Blank).

6 (h) (Blank).

7 (i) Following termination of an individual's
8 coverage under this paragraph 15, the individual must
9 be determined eligible before the person can be
10 re-enrolled.

11 16. Subject to appropriation, uninsured persons who
12 are not otherwise eligible under this Section who have been
13 certified and referred by the Department of Public Health
14 as having been screened and found to need diagnostic
15 evaluation or treatment, or both diagnostic evaluation and
16 treatment, for prostate or testicular cancer. For the
17 purposes of this paragraph 16, uninsured persons are those
18 who do not have creditable coverage, as defined under the
19 Health Insurance Portability and Accountability Act, or
20 have otherwise exhausted any insurance benefits they may
21 have had, for prostate or testicular cancer diagnostic
22 evaluation or treatment, or both diagnostic evaluation and
23 treatment. To be eligible, a person must furnish a Social
24 Security number. A person's assets are exempt from
25 consideration in determining eligibility under this
26 paragraph 16. Such persons shall be eligible for medical

1 assistance under this paragraph 16 for so long as they need
2 treatment for the cancer. A person shall be considered to
3 need treatment if, in the opinion of the person's treating
4 physician, the person requires therapy directed toward
5 cure or palliation of prostate or testicular cancer,
6 including recurrent metastatic cancer that is a known or
7 presumed complication of prostate or testicular cancer and
8 complications resulting from the treatment modalities
9 themselves. Persons who require only routine monitoring
10 services are not considered to need treatment. "Medical
11 assistance" under this paragraph 16 shall be identical to
12 the benefits provided under the State's approved plan under
13 Title XIX of the Social Security Act. Notwithstanding any
14 other provision of law, the Department (i) does not have a
15 claim against the estate of a deceased recipient of
16 services under this paragraph 16 and (ii) does not have a
17 lien against any homestead property or other legal or
18 equitable real property interest owned by a recipient of
19 services under this paragraph 16.

20 17. Persons who, pursuant to a waiver approved by the
21 Secretary of the U.S. Department of Health and Human
22 Services, are eligible for medical assistance under Title
23 XIX or XXI of the federal Social Security Act.
24 Notwithstanding any other provision of this Code and
25 consistent with the terms of the approved waiver, the
26 Illinois Department, may by rule:

1 (a) Limit the geographic areas in which the waiver
2 program operates.

3 (b) Determine the scope, quantity, duration, and
4 quality, and the rate and method of reimbursement, of
5 the medical services to be provided, which may differ
6 from those for other classes of persons eligible for
7 assistance under this Article.

8 (c) Restrict the persons' freedom in choice of
9 providers.

10 18. Beginning January 1, 2014, persons aged 19 or
11 older, but younger than 65, who are not otherwise eligible
12 for medical assistance under this Section 5-2, who qualify
13 for medical assistance pursuant to 42 U.S.C.
14 1396a(a)(10)(A)(i)(VIII) and applicable federal
15 regulations, and who have income at or below 133% of the
16 federal poverty level plus 5% for the applicable family
17 size as determined pursuant to 42 U.S.C. 1396a(e)(14) and
18 applicable federal regulations. Persons eligible for
19 medical assistance under this paragraph 18 shall receive
20 coverage for the Health Benefits Service Package as that
21 term is defined in subsection (m) of Section 5-1.1 of this
22 Code. If Illinois' federal medical assistance percentage
23 (FMAP) is reduced below 90% for persons eligible for
24 medical assistance under this paragraph 18, eligibility
25 under this paragraph 18 shall cease no later than the end
26 of the third month following the month in which the

1 reduction in FMAP takes effect.

2 19. Beginning January 1, 2014, as required under 42
3 U.S.C. 1396a(a)(10)(A)(i)(IX), persons older than age 18
4 and younger than age 26 who are not otherwise eligible for
5 medical assistance under paragraphs (1) through (17) of
6 this Section who (i) were in foster care under the
7 responsibility of the State on the date of attaining age 18
8 or on the date of attaining age 21 when a court has
9 continued wardship for good cause as provided in Section
10 2-31 of the Juvenile Court Act of 1987 and (ii) received
11 medical assistance under the Illinois Title XIX State Plan
12 or waiver of such plan while in foster care.

13 20. Beginning January 1, 2018, persons who are
14 foreign-born victims of human trafficking, torture, or
15 other serious crimes as defined in Section 2-19 of this
16 Code and their derivative family members if such persons:
17 (i) reside in Illinois; (ii) are not eligible under any of
18 the preceding paragraphs; (iii) meet the income guidelines
19 of subparagraph (a) of paragraph 2; and (iv) meet the
20 nonfinancial eligibility requirements of Sections 16-2,
21 16-3, and 16-5 of this Code. The Department may extend
22 medical assistance for persons who are foreign-born
23 victims of human trafficking, torture, or other serious
24 crimes whose medical assistance would be terminated
25 pursuant to subsection (b) of Section 16-5 if the
26 Department determines that the person, during the year of

1 initial eligibility (1) experienced a health crisis, (2)
2 has been unable, after reasonable attempts, to obtain
3 necessary information from a third party, or (3) has other
4 extenuating circumstances that prevented the person from
5 completing his or her application for status. The
6 Department may adopt any rules necessary to implement the
7 provisions of this paragraph.

8 In implementing the provisions of Public Act 96-20, the
9 Department is authorized to adopt only those rules necessary,
10 including emergency rules. Nothing in Public Act 96-20 permits
11 the Department to adopt rules or issue a decision that expands
12 eligibility for the FamilyCare Program to a person whose income
13 exceeds 185% of the Federal Poverty Level as determined from
14 time to time by the U.S. Department of Health and Human
15 Services, unless the Department is provided with express
16 statutory authority.

17 The eligibility of any such person for medical assistance
18 under this Article is not affected by the payment of any grant
19 under the Senior Citizens and Persons with Disabilities
20 Property Tax Relief and Pharmaceutical Assistance Act or any
21 distributions or items of income described under subparagraph
22 (X) of paragraph (2) of subsection (a) of Section 203 of the
23 Illinois Income Tax Act.

24 The Department shall by rule establish the amounts of
25 assets to be disregarded in determining eligibility for medical
26 assistance, which shall at a minimum equal the amounts to be

1 disregarded under the Federal Supplemental Security Income
2 Program. The amount of assets of a single person to be
3 disregarded shall not be less than \$2,000, and the amount of
4 assets of a married couple to be disregarded shall not be less
5 than \$3,000.

6 To the extent permitted under federal law, any person found
7 guilty of a second violation of Article VIII A shall be
8 ineligible for medical assistance under this Article, as
9 provided in Section 8A-8.

10 The eligibility of any person for medical assistance under
11 this Article shall not be affected by the receipt by the person
12 of donations or benefits from fundraisers held for the person
13 in cases of serious illness, as long as neither the person nor
14 members of the person's family have actual control over the
15 donations or benefits or the disbursement of the donations or
16 benefits.

17 Notwithstanding any other provision of this Code, if the
18 United States Supreme Court holds Title II, Subtitle A, Section
19 2001(a) of Public Law 111-148 to be unconstitutional, or if a
20 holding of Public Law 111-148 makes Medicaid eligibility
21 allowed under Section 2001(a) inoperable, the State or a unit
22 of local government shall be prohibited from enrolling
23 individuals in the Medical Assistance Program as the result of
24 federal approval of a State Medicaid waiver on or after the
25 effective date of this amendatory Act of the 97th General
26 Assembly, and any individuals enrolled in the Medical

1 Assistance Program pursuant to eligibility permitted as a
2 result of such a State Medicaid waiver shall become immediately
3 ineligible.

4 Notwithstanding any other provision of this Code, if an Act
5 of Congress that becomes a Public Law eliminates Section
6 2001(a) of Public Law 111-148, the State or a unit of local
7 government shall be prohibited from enrolling individuals in
8 the Medical Assistance Program as the result of federal
9 approval of a State Medicaid waiver on or after the effective
10 date of this amendatory Act of the 97th General Assembly, and
11 any individuals enrolled in the Medical Assistance Program
12 pursuant to eligibility permitted as a result of such a State
13 Medicaid waiver shall become immediately ineligible.

14 Effective October 1, 2013, the determination of
15 eligibility of persons who qualify under paragraphs 5, 6, 8,
16 15, 17, and 18 of this Section shall comply with the
17 requirements of 42 U.S.C. 1396a(e)(14) and applicable federal
18 regulations.

19 The Department of Healthcare and Family Services, the
20 Department of Human Services, and the Illinois health insurance
21 marketplace shall work cooperatively to assist persons who
22 would otherwise lose health benefits as a result of changes
23 made under this amendatory Act of the 98th General Assembly to
24 transition to other health insurance coverage.

25 (Source: P.A. 98-104, eff. 7-22-13; 98-463, eff. 8-16-13;
26 99-143, eff. 7-27-15; 99-870, eff. 8-22-16.)

1 (305 ILCS 5/5-4) (from Ch. 23, par. 5-4)

2 Sec. 5-4. Amount and nature of medical assistance.

3 (a) The amount and nature of medical assistance shall be
4 determined in accordance with the standards, rules, and
5 regulations of the Department of Healthcare and Family
6 Services, with due regard to the requirements and conditions in
7 each case, including contributions available from legally
8 responsible relatives. However, the amount and nature of such
9 medical assistance shall not be affected by the payment of any
10 grant under the Senior Citizens and Persons with Disabilities
11 Property Tax Relief and Pharmaceutical Assistance Act or any
12 distributions or items of income described under subparagraph
13 (X) of paragraph (2) of subsection (a) of Section 203 of the
14 Illinois Income Tax Act. The amount and nature of medical
15 assistance shall not be affected by the receipt of donations or
16 benefits from fundraisers in cases of serious illness, as long
17 as neither the person nor members of the person's family have
18 actual control over the donations or benefits or the
19 disbursement of the donations or benefits.

20 In determining the income and resources available to the
21 institutionalized spouse and to the community spouse, the
22 Department of Healthcare and Family Services shall follow the
23 procedures established by federal law. If an institutionalized
24 spouse or community spouse refuses to comply with the
25 requirements of Title XIX of the federal Social Security Act

1 and the regulations duly promulgated thereunder by failing to
2 provide the total value of assets, including income and
3 resources, to the extent either the institutionalized spouse or
4 community spouse has an ownership interest in them pursuant to
5 42 U.S.C. 1396r-5, such refusal may result in the
6 institutionalized spouse being denied eligibility and
7 continuing to remain ineligible for the medical assistance
8 program based on failure to cooperate.

9 Subject to federal approval, the community spouse resource
10 allowance shall be established and maintained at the higher of
11 \$109,560 or the minimum level permitted pursuant to Section
12 1924(f)(2) of the Social Security Act, as now or hereafter
13 amended, or an amount set after a fair hearing, whichever is
14 greater. The monthly maintenance allowance for the community
15 spouse shall be established and maintained at the higher of
16 \$2,739 per month or the minimum level permitted pursuant to
17 Section 1924(d)(3) of the Social Security Act, as now or
18 hereafter amended, or an amount set after a fair hearing,
19 whichever is greater. Subject to the approval of the Secretary
20 of the United States Department of Health and Human Services,
21 the provisions of this Section shall be extended to persons who
22 but for the provision of home or community-based services under
23 Section 4.02 of the Illinois Act on the Aging, would require
24 the level of care provided in an institution, as is provided
25 for in federal law.

26 (b) Spousal support for institutionalized spouses

1 receiving medical assistance.

2 (i) The Department may seek support for an
3 institutionalized spouse, who has assigned his or her right
4 of support from his or her spouse to the State, from the
5 resources and income available to the community spouse.

6 (ii) The Department may bring an action in the circuit
7 court to establish support orders or itself establish
8 administrative support orders by any means and procedures
9 authorized in this Code, as applicable, except that the
10 standard and regulations for determining ability to
11 support in Section 10-3 shall not limit the amount of
12 support that may be ordered.

13 (iii) Proceedings may be initiated to obtain support,
14 or for the recovery of aid granted during the period such
15 support was not provided, or both, for the obtainment of
16 support and the recovery of the aid provided. Proceedings
17 for the recovery of aid may be taken separately or they may
18 be consolidated with actions to obtain support. Such
19 proceedings may be brought in the name of the person or
20 persons requiring support or may be brought in the name of
21 the Department, as the case requires.

22 (iv) The orders for the payment of moneys for the
23 support of the person shall be just and equitable and may
24 direct payment thereof for such period or periods of time
25 as the circumstances require, including support for a
26 period before the date the order for support is entered. In

1 no event shall the orders reduce the community spouse
2 resource allowance below the level established in
3 subsection (a) of this Section or an amount set after a
4 fair hearing, whichever is greater, or reduce the monthly
5 maintenance allowance for the community spouse below the
6 level permitted pursuant to subsection (a) of this Section.
7 (Source: P.A. 98-104, eff. 7-22-13; 99-143, eff. 7-27-15.)

8 (305 ILCS 5/6-1.2) (from Ch. 23, par. 6-1.2)

9 Sec. 6-1.2. Need. Income available to the person, when
10 added to contributions in money, substance, or services from
11 other sources, including contributions from legally
12 responsible relatives, must be insufficient to equal the grant
13 amount established by Department regulation (or by local
14 governmental unit in units which do not receive State funds)
15 for such a person.

16 In determining income to be taken into account:

17 (1) The first \$75 of earned income in income assistance
18 units comprised exclusively of one adult person shall be
19 disregarded, and for not more than 3 months in any 12
20 consecutive months that portion of earned income beyond the
21 first \$75 that is the difference between the standard of
22 assistance and the grant amount, shall be disregarded.

23 (2) For income assistance units not comprised
24 exclusively of one adult person, when authorized by rules
25 and regulations of the Illinois Department, a portion of

1 earned income, not to exceed the first \$25 a month plus 50%
2 of the next \$75, may be disregarded for the purpose of
3 stimulating and aiding rehabilitative effort and
4 self-support activity.

5 "Earned income" means money earned in self-employment or
6 wages, salary, or commission for personal services performed as
7 an employee. The eligibility of any applicant for or recipient
8 of public aid under this Article is not affected by the payment
9 of any grant under the "Senior Citizens and Persons with
10 Disabilities Property Tax Relief and Pharmaceutical Assistance
11 Act", any refund or payment of the federal Earned Income Tax
12 Credit, or any distributions or items of income described under
13 subparagraph (X) of paragraph (2) of subsection (a) of Section
14 203 of the Illinois Income Tax Act.

15 (Source: P.A. 99-143, eff. 7-27-15.)

16 (305 ILCS 5/6-2) (from Ch. 23, par. 6-2)

17 Sec. 6-2. Amount of aid. The amount and nature of General
18 Assistance for basic maintenance requirements shall be
19 determined in accordance with local budget standards for local
20 governmental units which do not receive State funds. For local
21 governmental units which do receive State funds, the amount and
22 nature of General Assistance for basic maintenance
23 requirements shall be determined in accordance with the
24 standards, rules and regulations of the Illinois Department.
25 However, the amount and nature of any financial aid is not

1 affected by the payment of any grant under the Senior Citizens
2 and Persons with Disabilities Property Tax Relief and
3 Pharmaceutical Assistance Act or any distributions or items of
4 income described under subparagraph (X) of paragraph (2) of
5 subsection (a) of Section 203 of the Illinois Income Tax Act.
6 Due regard shall be given to the requirements and the
7 conditions existing in each case, and to the income, money
8 contributions and other support and resources available, from
9 whatever source. In local governmental units which do not
10 receive State funds, the grant shall be sufficient when added
11 to all other income, money contributions and support in excess
12 of any excluded income or resources, to provide the person with
13 a grant in the amount established for such a person by the
14 local governmental unit based upon standards meeting basic
15 maintenance requirements. In local governmental units which do
16 receive State funds, the grant shall be sufficient when added
17 to all other income, money contributions and support in excess
18 of any excluded income or resources, to provide the person with
19 a grant in the amount established for such a person by
20 Department regulation based upon standards providing a
21 livelihood compatible with health and well-being, as directed
22 by Section 12-4.11 of this Code.

23 The Illinois Department may conduct special projects,
24 which may be known as Grant Diversion Projects, under which
25 recipients of financial aid under this Article are placed in
26 jobs and their grants are diverted to the employer who in turn

1 makes payments to the recipients in the form of salary or other
2 employment benefits. The Illinois Department shall by rule
3 specify the terms and conditions of such Grant Diversion
4 Projects. Such projects shall take into consideration and be
5 coordinated with the programs administered under the Illinois
6 Emergency Employment Development Act.

7 The allowances provided under Article IX for recipients
8 participating in the training and rehabilitation programs
9 shall be in addition to such maximum payment.

10 Payments may also be made to provide persons receiving
11 basic maintenance support with necessary treatment, care and
12 supplies required because of illness or disability or with
13 acute medical treatment, care, and supplies. Payments for
14 necessary or acute medical care under this paragraph may be
15 made to or in behalf of the person. Obligations incurred for
16 such services but not paid for at the time of a recipient's
17 death may be paid, subject to the rules and regulations of the
18 Illinois Department, after the death of the recipient.

19 (Source: P.A. 99-143, eff. 7-27-15.)

20 (305 ILCS 5/12-9) (from Ch. 23, par. 12-9)

21 Sec. 12-9. Public Aid Recoveries Trust Fund; uses. The
22 Public Aid Recoveries Trust Fund shall consist of (1)
23 recoveries by the Department of Healthcare and Family Services
24 (formerly Illinois Department of Public Aid) authorized by this
25 Code in respect to applicants or recipients under Articles III,

1 IV, V, and VI, including recoveries made by the Department of
2 Healthcare and Family Services (formerly Illinois Department
3 of Public Aid) from the estates of deceased recipients, (2)
4 recoveries made by the Department of Healthcare and Family
5 Services (formerly Illinois Department of Public Aid) in
6 respect to applicants and recipients under the Children's
7 Health Insurance Program Act, ~~and~~ the Covering ALL KIDS Health
8 Insurance Act, and the Senior Citizens and Persons with
9 Disabilities Property Tax Relief and Pharmaceutical Assistance
10 Act, (2.5) recoveries made by the Department of Healthcare and
11 Family Services in connection with the imposition of an
12 administrative penalty as provided under Section 12-4.45, (3)
13 federal funds received on behalf of and earned by State
14 universities and local governmental entities for services
15 provided to applicants or recipients covered under this Code,
16 the Children's Health Insurance Program Act, ~~and~~ the Covering
17 ALL KIDS Health Insurance Act, and the Senior Citizens and
18 Persons with Disabilities Property Tax Relief and
19 Pharmaceutical Assistance Act, (3.5) federal financial
20 participation revenue related to eligible disbursements made
21 by the Department of Healthcare and Family Services from
22 appropriations required by this Section, and (4) all other
23 moneys received to the Fund, including interest thereon. The
24 Fund shall be held as a special fund in the State Treasury.

25 Disbursements from this Fund shall be only (1) for the
26 reimbursement of claims collected by the Department of

1 Healthcare and Family Services (formerly Illinois Department
2 of Public Aid) through error or mistake, (2) for payment to
3 persons or agencies designated as payees or co-payees on any
4 instrument, whether or not negotiable, delivered to the
5 Department of Healthcare and Family Services (formerly
6 Illinois Department of Public Aid) as a recovery under this
7 Section, such payment to be in proportion to the respective
8 interests of the payees in the amount so collected, (3) for
9 payments to the Department of Human Services for collections
10 made by the Department of Healthcare and Family Services
11 (formerly Illinois Department of Public Aid) on behalf of the
12 Department of Human Services under this Code, the Children's
13 Health Insurance Program Act, and the Covering ALL KIDS Health
14 Insurance Act, (4) for payment of administrative expenses
15 incurred in performing the activities authorized under this
16 Code, the Children's Health Insurance Program Act, ~~and~~ the
17 Covering ALL KIDS Health Insurance Act, and the Senior Citizens
18 and Persons with Disabilities Property Tax Relief and
19 Pharmaceutical Assistance Act, (5) for payment of fees to
20 persons or agencies in the performance of activities pursuant
21 to the collection of monies owed the State that are collected
22 under this Code, the Children's Health Insurance Program Act,
23 ~~and~~ the Covering ALL KIDS Health Insurance Act, and the Senior
24 Citizens and Persons with Disabilities Property Tax Relief and
25 Pharmaceutical Assistance Act, (6) for payments of any amounts
26 which are reimbursable to the federal government which are

1 required to be paid by State warrant by either the State or
2 federal government, and (7) for payments to State universities
3 and local governmental entities of federal funds for services
4 provided to applicants or recipients covered under this Code,
5 the Children's Health Insurance Program Act, ~~and~~ the Covering
6 ALL KIDS Health Insurance Act, and the Senior Citizens and
7 Persons with Disabilities Property Tax Relief and
8 Pharmaceutical Assistance Act. Disbursements from this Fund
9 for purposes of items (4) and (5) of this paragraph shall be
10 subject to appropriations from the Fund to the Department of
11 Healthcare and Family Services (formerly Illinois Department
12 of Public Aid).

13 The balance in this Fund after payment therefrom of any
14 amounts reimbursable to the federal government, and minus the
15 amount reasonably anticipated to be needed to make the
16 disbursements authorized by this Section during the current and
17 following 3 calendar months, shall be certified by the Director
18 of Healthcare and Family Services and transferred by the State
19 Comptroller to the Drug Rebate Fund or the Healthcare Provider
20 Relief Fund in the State Treasury, as appropriate, on at least
21 an annual basis by June 30th of each fiscal year. The Director
22 of Healthcare and Family Services may certify and the State
23 Comptroller shall transfer to the Drug Rebate Fund or the
24 Healthcare Provider Relief Fund amounts on a more frequent
25 basis.

26 On July 1, 1999, the State Comptroller shall transfer the

1 sum of \$5,000,000 from the Public Aid Recoveries Trust Fund
2 (formerly the Public Assistance Recoveries Trust Fund) into the
3 DHS Recoveries Trust Fund.

4 (Source: P.A. 97-647, eff. 1-1-12; 97-689, eff. 6-14-12;
5 98-130, eff. 8-2-13; 98-651, eff. 6-16-14.)

6 Section 65. The Senior Citizens and Disabled Persons
7 Property Tax Relief Act is amended by changing the title of the
8 Act and Sections 1, 1.5, 2, 3.05a, 3.10, 4, 4.05, 5, 6, 7, 8, 9,
9 12, and 13 and by adding Section 4.2 as follows:

10 (320 ILCS 25/Act title)

11 An Act in relation to the payment of grants to enable the
12 elderly and the disabled to acquire or retain private housing
13 and to acquire prescription drugs.

14 (320 ILCS 25/1) (from Ch. 67 1/2, par. 401)

15 Sec. 1. Short title; common name. This Article shall be
16 known and may be cited as the Senior Citizens and Persons with
17 Disabilities Property Tax Relief and Pharmaceutical Assistance
18 Act. Common references to the "Circuit Breaker Act" mean this
19 Article. As used in this Article, "this Act" means this
20 Article.

21 (Source: P.A. 99-143, eff. 7-27-15.)

22 (320 ILCS 25/1.5)

1 Sec. 1.5. Implementation of Executive Order No. 3 of 2004~~+~~
2 ~~termination of the Illinois Senior Citizens and Disabled~~
3 ~~Persons Pharmaceutical Assistance Program.~~ Executive Order No.
4 3 of 2004, in part, provided for the transfer of the programs
5 under this Act from the Department of Revenue to the Department
6 on Aging and the Department of Healthcare and Family Services.
7 It is the purpose of this amendatory Act of the 96th General
8 Assembly to conform this Act and certain related provisions of
9 other statutes to that Executive Order. This amendatory Act of
10 the 96th General Assembly also makes other substantive changes
11 to this Act.

12 ~~It is the purpose of this amendatory Act of the 97th~~
13 ~~General Assembly to terminate the Illinois Senior Citizens and~~
14 ~~Disabled Persons Pharmaceutical Assistance Program on July 1,~~
15 ~~2012.~~

16 (Source: P.A. 96-804, eff. 1-1-10; 97-689, eff. 6-14-12.)

17 (320 ILCS 25/2) (from Ch. 67 1/2, par. 402)

18 Sec. 2. Purpose. The purpose of this Act is to provide
19 incentives to senior citizens and persons with disabilities in
20 this State to acquire and retain private housing of their
21 choice and at the same time to relieve those citizens from the
22 burdens of extraordinary property taxes and rising drug costs
23 against their increasingly restricted earning power, and
24 thereby to reduce the requirements for public housing in this
25 State.

1 (Source: P.A. 99-143, eff. 7-27-15.)

2 (320 ILCS 25/3.05a)

3 Sec. 3.05a. Additional resident. "Additional resident"
4 means a person who (i) is living in the same residence with a
5 claimant for the claim year and at the time of filing the
6 claim, (ii) is not the spouse of the claimant, (iii) does not
7 file a separate claim under this Act for the same period, and
8 (iv) receives more than half of his or her total financial
9 support for that claim year from the household. ~~An~~ ~~Prior to~~
10 ~~July 1, 2012,~~ an additional resident who meets qualifications
11 may receive pharmaceutical assistance based on a claimant's
12 application.

13 (Source: P.A. 96-804, eff. 1-1-10; 97-689, eff. 6-14-12.)

14 (320 ILCS 25/3.10) (from Ch. 67 1/2, par. 403.10)

15 Sec. 3.10. Regulations. "Regulations" includes both rules
16 promulgated and forms prescribed by the applicable Department.
17 In this Act, references to the rules of the Department on Aging
18 or the Department of Healthcare and Family Services, ~~in effect~~
19 ~~prior to July 1, 2012,~~ shall be deemed to include, in
20 appropriate cases, the corresponding rules adopted by the
21 Department of Revenue, to the extent that those rules continue
22 in force under Executive Order No. 3 of 2004.

23 (Source: P.A. 96-804, eff. 1-1-10; 97-689, eff. 6-14-12.)

1 (320 ILCS 25/4) (from Ch. 67 1/2, par. 404)

2 Sec. 4. Amount of Grant.

3 (a) In general. Any individual 65 years or older or any
4 individual who will become 65 years old during the calendar
5 year in which a claim is filed, and any surviving spouse of
6 such a claimant, who at the time of death received or was
7 entitled to receive a grant pursuant to this Section, which
8 surviving spouse will become 65 years of age within the 24
9 months immediately following the death of such claimant and
10 which surviving spouse but for his or her age is otherwise
11 qualified to receive a grant pursuant to this Section, and any
12 person with a disability whose annual household income is less
13 than the income eligibility limitation, as defined in
14 subsection (a-5) and whose household is liable for payment of
15 property taxes accrued or has paid rent constituting property
16 taxes accrued and is domiciled in this State at the time he or
17 she files his or her claim is entitled to claim a grant under
18 this Act. With respect to claims filed by individuals who will
19 become 65 years old during the calendar year in which a claim
20 is filed, the amount of any grant to which that household is
21 entitled shall be an amount equal to 1/12 of the amount to
22 which the claimant would otherwise be entitled as provided in
23 this Section, multiplied by the number of months in which the
24 claimant was 65 in the calendar year in which the claim is
25 filed.

26 (a-5) Income eligibility limitation. For purposes of this

1 Section, "income eligibility limitation" means an amount for
2 grant years 2008 and thereafter:

3 (1) less than \$22,218 for a household containing one
4 person;

5 (2) less than \$29,480 for a household containing 2
6 persons; or

7 (3) less than \$36,740 for a household containing 3 or
8 more persons.

9 For 2009 claim year applications submitted during calendar
10 year 2010, a household must have annual household income of
11 less than \$27,610 for a household containing one person; less
12 than \$36,635 for a household containing 2 persons; or less than
13 \$45,657 for a household containing 3 or more persons.

14 The Department on Aging may adopt rules such that on
15 January 1, 2011, and thereafter, the foregoing household income
16 eligibility limits may be changed to reflect the annual cost of
17 living adjustment in Social Security and Supplemental Security
18 Income benefits that are applicable to the year for which those
19 benefits are being reported as income on an application.

20 If a person files as a surviving spouse, then only his or
21 her income shall be counted in determining his or her household
22 income.

23 (b) Limitation. Except as otherwise provided in
24 subsections (a) and (f) of this Section, the maximum amount of
25 grant which a claimant is entitled to claim is the amount by
26 which the property taxes accrued which were paid or payable

1 during the last preceding tax year or rent constituting
2 property taxes accrued upon the claimant's residence for the
3 last preceding taxable year exceeds 3 1/2% of the claimant's
4 household income for that year but in no event is the grant to
5 exceed (i) \$700 less 4.5% of household income for that year for
6 those with a household income of \$14,000 or less or (ii) \$70 if
7 household income for that year is more than \$14,000.

8 (c) Public aid recipients. If household income in one or
9 more months during a year includes cash assistance in excess of
10 \$55 per month from the Department of Healthcare and Family
11 Services or the Department of Human Services (acting as
12 successor to the Department of Public Aid under the Department
13 of Human Services Act) which was determined under regulations
14 of that Department on a measure of need that included an
15 allowance for actual rent or property taxes paid by the
16 recipient of that assistance, the amount of grant to which that
17 household is entitled, except as otherwise provided in
18 subsection (a), shall be the product of (1) the maximum amount
19 computed as specified in subsection (b) of this Section and (2)
20 the ratio of the number of months in which household income did
21 not include such cash assistance over \$55 to the number twelve.
22 If household income did not include such cash assistance over
23 \$55 for any months during the year, the amount of the grant to
24 which the household is entitled shall be the maximum amount
25 computed as specified in subsection (b) of this Section. For
26 purposes of this paragraph (c), "cash assistance" does not

1 include any amount received under the federal Supplemental
2 Security Income (SSI) program.

3 (d) Joint ownership. If title to the residence is held
4 jointly by the claimant with a person who is not a member of
5 his or her household, the amount of property taxes accrued used
6 in computing the amount of grant to which he or she is entitled
7 shall be the same percentage of property taxes accrued as is
8 the percentage of ownership held by the claimant in the
9 residence.

10 (e) More than one residence. If a claimant has occupied
11 more than one residence in the taxable year, he or she may
12 claim only one residence for any part of a month. In the case
13 of property taxes accrued, he or she shall prorate 1/12 of the
14 total property taxes accrued on his or her residence to each
15 month that he or she owned and occupied that residence; and, in
16 the case of rent constituting property taxes accrued, shall
17 prorate each month's rent payments to the residence actually
18 occupied during that month.

19 (f) (Blank).

20 (g) Effective January 1, 2006, there is hereby established
21 a program of pharmaceutical assistance to the aged and to
22 persons with disabilities, entitled the Illinois Seniors and
23 Disabled Drug Coverage Program, which shall be administered by
24 the Department of Healthcare and Family Services and the
25 Department on Aging in accordance with this subsection, to
26 consist of coverage of specified prescription drugs on behalf

1 of beneficiaries of the program as set forth in this
2 subsection. ~~Notwithstanding any provisions of this Act to the~~
3 ~~contrary, on and after July 1, 2012, pharmaceutical assistance~~
4 ~~under this Act shall no longer be provided, and on July 1, 2012~~
5 ~~the Illinois Senior Citizens and Disabled Persons~~
6 ~~Pharmaceutical Assistance Program shall terminate. The~~
7 ~~following provisions that concern the Illinois Senior Citizens~~
8 ~~and Disabled Persons Pharmaceutical Assistance Program shall~~
9 ~~continue to apply on and after July 1, 2012 to the extent~~
10 ~~necessary to pursue any actions authorized by subsection (d) of~~
11 ~~Section 9 of this Act with respect to acts which took place~~
12 ~~prior to July 1, 2012.~~

13 To become a beneficiary under the program established under
14 this subsection, a person must:

15 (1) be (i) 65 years of age or older or (ii) a person
16 with a disability; and

17 (2) be domiciled in this State; and

18 (3) enroll with a qualified Medicare Part D
19 Prescription Drug Plan if eligible and apply for all
20 available subsidies under Medicare Part D; and

21 (4) for the 2006 and 2007 claim years, have a maximum
22 household income of (i) less than \$21,218 for a household
23 containing one person, (ii) less than \$28,480 for a
24 household containing 2 persons, or (iii) less than \$35,740
25 for a household containing 3 or more persons; and

26 (5) for the 2008 claim year, have a maximum household

1 income of (i) less than \$22,218 for a household containing
2 one person, (ii) \$29,480 for a household containing 2
3 persons, or (iii) \$36,740 for a household containing 3 or
4 more persons; and

5 (6) for 2009 claim year applications submitted during
6 calendar year 2010, have annual household income of less
7 than (i) \$27,610 for a household containing one person;
8 (ii) less than \$36,635 for a household containing 2
9 persons; or (iii) less than \$45,657 for a household
10 containing 3 or more persons; and

11 (7) as of September 1, 2011, have a maximum household
12 income at or below 200% of the federal poverty level.

13 All individuals enrolled as of December 31, 2005, in the
14 pharmaceutical assistance program operated pursuant to
15 subsection (f) of this Section and all individuals enrolled as
16 of December 31, 2005, in the SeniorCare Medicaid waiver program
17 operated pursuant to Section 5-5.12a of the Illinois Public Aid
18 Code shall be automatically enrolled in the program established
19 by this subsection for the first year of operation without the
20 need for further application, except that they must apply for
21 Medicare Part D and the Low Income Subsidy under Medicare Part
22 D. A person enrolled in the pharmaceutical assistance program
23 operated pursuant to subsection (f) of this Section as of
24 December 31, 2005, shall not lose eligibility in future years
25 due only to the fact that they have not reached the age of 65.

26 To the extent permitted by federal law, the Department may

1 act as an authorized representative of a beneficiary in order
2 to enroll the beneficiary in a Medicare Part D Prescription
3 Drug Plan if the beneficiary has failed to choose a plan and,
4 where possible, to enroll beneficiaries in the low-income
5 subsidy program under Medicare Part D or assist them in
6 enrolling in that program.

7 Beneficiaries under the program established under this
8 subsection shall be divided into the following 4 eligibility
9 groups:

10 (A) Eligibility Group 1 shall consist of beneficiaries
11 who are not eligible for Medicare Part D coverage and who
12 are:

13 (i) a person with a disability and under age 65; or
14 (ii) age 65 or older, with incomes over 200% of the
15 Federal Poverty Level; or
16 (iii) age 65 or older, with incomes at or below
17 200% of the Federal Poverty Level and not eligible for
18 federally funded means-tested benefits due to
19 immigration status.

20 (B) Eligibility Group 2 shall consist of beneficiaries
21 who are eligible for Medicare Part D coverage.

22 (C) Eligibility Group 3 shall consist of beneficiaries
23 age 65 or older, with incomes at or below 200% of the
24 Federal Poverty Level, who are not barred from receiving
25 federally funded means-tested benefits due to immigration
26 status and are not eligible for Medicare Part D coverage.

1 If the State applies and receives federal approval for
2 a waiver under Title XIX of the Social Security Act,
3 persons in Eligibility Group 3 shall continue to receive
4 benefits through the approved waiver, and Eligibility
5 Group 3 may be expanded to include persons with
6 disabilities who are under age 65 with incomes under 200%
7 of the Federal Poverty Level who are not eligible for
8 Medicare and who are not barred from receiving federally
9 funded means-tested benefits due to immigration status.

10 (D) Eligibility Group 4 shall consist of beneficiaries
11 who are otherwise described in Eligibility Group 2 who have
12 a diagnosis of HIV or AIDS.

13 The program established under this subsection shall cover
14 the cost of covered prescription drugs in excess of the
15 beneficiary cost-sharing amounts set forth in this paragraph
16 that are not covered by Medicare. The Department of Healthcare
17 and Family Services may establish by emergency rule changes in
18 cost-sharing necessary to conform the cost of the program to
19 the amounts appropriated for State fiscal year 2012 and future
20 fiscal years except that the 24-month limitation on the
21 adoption of emergency rules and the provisions of Sections
22 5-115 and 5-125 of the Illinois Administrative Procedure Act
23 shall not apply to rules adopted under this subsection (g). The
24 adoption of emergency rules authorized by this subsection (g)
25 shall be deemed to be necessary for the public interest,
26 safety, and welfare.

1 For purposes of the program established under this
2 subsection, the term "covered prescription drug" has the
3 following meanings:

4 For Eligibility Group 1, "covered prescription drug"
5 means: (1) any cardiovascular agent or drug; (2) any
6 insulin or other prescription drug used in the treatment of
7 diabetes, including syringe and needles used to administer
8 the insulin; (3) any prescription drug used in the
9 treatment of arthritis; (4) any prescription drug used in
10 the treatment of cancer; (5) any prescription drug used in
11 the treatment of Alzheimer's disease; (6) any prescription
12 drug used in the treatment of Parkinson's disease; (7) any
13 prescription drug used in the treatment of glaucoma; (8)
14 any prescription drug used in the treatment of lung disease
15 and smoking-related illnesses; (9) any prescription drug
16 used in the treatment of osteoporosis; and (10) any
17 prescription drug used in the treatment of multiple
18 sclerosis. The Department may add additional therapeutic
19 classes by rule. The Department may adopt a preferred drug
20 list within any of the classes of drugs described in items
21 (1) through (10) of this paragraph. The specific drugs or
22 therapeutic classes of covered prescription drugs shall be
23 indicated by rule.

24 For Eligibility Group 2, "covered prescription drug"
25 means those drugs covered by the Medicare Part D
26 Prescription Drug Plan in which the beneficiary is

1 enrolled.

2 For Eligibility Group 3, "covered prescription drug"
3 means those drugs covered by the Medical Assistance Program
4 under Article V of the Illinois Public Aid Code.

5 For Eligibility Group 4, "covered prescription drug"
6 means those drugs covered by the Medicare Part D
7 Prescription Drug Plan in which the beneficiary is
8 enrolled.

9 Any person otherwise eligible for pharmaceutical
10 assistance under this subsection whose covered drugs are
11 covered by any public program is ineligible for assistance
12 under this subsection to the extent that the cost of those
13 drugs is covered by the other program.

14 The Department of Healthcare and Family Services shall
15 establish by rule the methods by which it will provide for the
16 coverage called for in this subsection. Those methods may
17 include direct reimbursement to pharmacies or the payment of a
18 capitated amount to Medicare Part D Prescription Drug Plans.

19 For a pharmacy to be reimbursed under the program
20 established under this subsection, it must comply with rules
21 adopted by the Department of Healthcare and Family Services
22 regarding coordination of benefits with Medicare Part D
23 Prescription Drug Plans. A pharmacy may not charge a
24 Medicare-enrolled beneficiary of the program established under
25 this subsection more for a covered prescription drug than the
26 appropriate Medicare cost-sharing less any payment from or on

1 behalf of the Department of Healthcare and Family Services.

2 The Department of Healthcare and Family Services or the
3 Department on Aging, as appropriate, may adopt rules regarding
4 applications, counting of income, proof of Medicare status,
5 mandatory generic policies, and pharmacy reimbursement rates
6 and any other rules necessary for the cost-efficient operation
7 of the program established under this subsection.

8 (h) A qualified individual is not entitled to duplicate
9 benefits in a coverage period as a result of the changes made
10 by this amendatory Act of the 96th General Assembly.

11 (Source: P.A. 99-143, eff. 7-27-15.)

12 (320 ILCS 25/4.05)

13 Sec. 4.05. Application.

14 (a) The Department on Aging shall establish the content,
15 required eligibility and identification information, use of
16 social security numbers, and manner of applying for benefits in
17 a simplified format under this Act, including claims filed for
18 new or renewed prescription drug benefits.

19 (b) An application may be filed on paper or over the
20 Internet to enable persons to apply separately or for both a
21 property tax relief grant and pharmaceutical assistance on the
22 same application. An application may also enable persons to
23 apply for other State or federal programs that provide medical
24 or pharmaceutical assistance or other benefits, as determined
25 by the Department on Aging in conjunction with the Department

1 of Healthcare and Family Services.

2 (c) Applications must be filed during the time period
3 prescribed by the Department.

4 (Source: P.A. 96-804, eff. 1-1-10; 97-689, eff. 6-14-12.)

5 (320 ILCS 25/4.2 new)

6 Sec. 4.2. Information to the Department. Notwithstanding
7 any other law to the contrary, entities subject to the Illinois
8 Insurance Code, Comprehensive Health Insurance Plan Act,
9 Dental Service Plan Act, Children's Health Insurance Program
10 Act, Health Care Purchasing Group Act, Health Maintenance
11 Organization Act, Limited Health Service Organization Act,
12 Voluntary Health Services Plans Act, and the Workers'
13 Compensation Act, including, but not limited to, insurers,
14 health maintenance organizations, pharmacy benefit managers,
15 third party administrators, fraternal benefit societies,
16 group-funded workers' compensation pools, municipal
17 group-funded pools, self-funded or self-insured welfare or
18 benefit plans or programs, and any other entities that provide
19 health coverage through an employer, union, trade association
20 or other organization or source, or any other entities, must
21 provide information to the Department, or its designee, that is
22 necessary to carry out the purposes of this Act, including, but
23 not limited to, the name, social security number, address, date
24 of birth, and coverage of their policyholders, their
25 subscribers, or the beneficiaries of their plans, benefits, or

1 services who participate in the programs under this Act. The
2 provision of this information to the Department or its designee
3 is subject to the confidentiality provisions in Section 8a of
4 this Act.

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

6 Sec. 5. Procedure.

7 (a) In general. Claims must be filed after January 1, on
8 forms prescribed by the Department. No claim may be filed more
9 than one year after December 31 of the year for which the claim
10 is filed. The pharmaceutical assistance identification card
11 provided for in subsection (f) of Section 4 shall be valid for
12 a period determined by the Department of Healthcare and Family
13 Services.

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

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

6 (d) (Blank).

7 (e) Pharmaceutical Assistance Procedures. The ~~Prior to~~
8 ~~July 1, 2012, the~~ Department of Healthcare and Family Services
9 shall determine eligibility for pharmaceutical assistance
10 using the applicant's current income. The Department shall
11 determine a person's current income in the manner provided by
12 the Department by rule.

13 (f) A person may not under any circumstances charge a fee
14 to a claimant under this Act for assistance in completing an
15 application form for a property tax relief grant or
16 pharmaceutical assistance under this Act.

17 (Source: P.A. 96-491, eff. 8-14-09; 96-804, eff. 1-1-10;
18 96-1000, eff. 7-2-10; 97-689, eff. 6-14-12.)

19 (320 ILCS 25/6) (from Ch. 67 1/2, par. 406)

20 Sec. 6. Administration.

21 (a) In general. Upon receipt of a timely filed claim, the
22 Department shall determine whether the claimant is a person
23 entitled to a grant under this Act and the amount of grant to
24 which he is entitled under this Act. The Department may require
25 the claimant to furnish reasonable proof of the statements of

1 domicile, household income, rent paid, property taxes accrued
2 and other matters on which entitlement is based, and may
3 withhold payment of a grant until such additional proof is
4 furnished.

5 (b) Rental determination. If the Department finds that the
6 gross rent used in the computation by a claimant of rent
7 constituting property taxes accrued exceeds the fair rental
8 value for the right to occupy that residence, the Department
9 may determine the fair rental value for that residence and
10 recompute rent constituting property taxes accrued
11 accordingly.

12 (c) Fraudulent claims. The Department shall deny claims
13 which have been fraudulently prepared or when it finds that the
14 claimant has acquired title to his residence or has paid rent
15 for his residence primarily for the purpose of receiving a
16 grant under this Act.

17 (d) Pharmaceutical Assistance. The Department shall allow
18 all pharmacies licensed under the Pharmacy Practice Act to
19 participate as authorized pharmacies unless they have been
20 removed from that status for cause pursuant to the terms of
21 this Section. The Director of the Department may enter into a
22 written contract with any State agency, instrumentality or
23 political subdivision, or a fiscal intermediary for the purpose
24 of making payments to authorized pharmacies for covered
25 prescription drugs and coordinating the program of
26 pharmaceutical assistance established by this Act with other

1 programs that provide payment for covered prescription drugs.
2 Such agreement shall establish procedures for properly
3 contracting for pharmacy services, validating reimbursement
4 claims, validating compliance of dispensing pharmacists with
5 the contracts for participation required under this Section,
6 validating the reasonable costs of covered prescription drugs,
7 and otherwise providing for the effective administration of
8 this Act. ~~(Blank).~~

9 The Department shall promulgate rules and regulations to
10 implement and administer the program of pharmaceutical
11 assistance required by this Act, which shall include the
12 following:

13 (1) Execution of contracts with pharmacies to dispense
14 covered prescription drugs. Such contracts shall stipulate
15 terms and conditions for authorized pharmacies
16 participation and the rights of the State to terminate such
17 participation for breach of such contract or for violation
18 of this Act or related rules and regulations of the
19 Department;

20 (2) Establishment of maximum limits on the size of
21 prescriptions, new or refilled, which shall be in amounts
22 sufficient for 34 days, except as otherwise specified by
23 rule for medical or utilization control reasons;

24 (3) Establishment of liens upon any and all causes of
25 action which accrue to a beneficiary as a result of
26 injuries for which covered prescription drugs are directly

1 or indirectly required and for which the Director made
2 payment or became liable for under this Act;

3 (4) Charge or collection of payments from third parties
4 or private plans of assistance, or from other programs of
5 public assistance for any claim that is properly chargeable
6 under the assignment of benefits executed by beneficiaries
7 as a requirement of eligibility for the pharmaceutical
8 assistance identification card under this Act;

9 (4.5) Provision for automatic enrollment of
10 beneficiaries into a Medicare Discount Card program
11 authorized under the federal Medicare Modernization Act of
12 2003 (P.L. 108-391) to coordinate coverage including
13 Medicare Transitional Assistance;

14 (5) Inspection of appropriate records and audit of
15 participating authorized pharmacies to ensure contract
16 compliance, and to determine any fraudulent transactions
17 or practices under this Act;

18 (6) Payment to pharmacies under this Act in accordance
19 with the State Prompt Payment Act.

20 The Department shall annually report to the Governor and
21 the General Assembly by March 1st of each year on the
22 administration of pharmaceutical assistance under this Act.

23 (Source: P.A. 96-328, eff. 8-11-09; 97-333, eff. 8-12-11;
24 97-689, eff. 6-14-12.)

25 (320 ILCS 25/7) (from Ch. 67 1/2, par. 407)

1 Sec. 7. Payment and denial of claims.

2 (a) In general. The Director shall order the payment from
3 appropriations made for that purpose of grants to claimants
4 under this Act in the amounts to which the Department has
5 determined they are entitled, respectively. If a claim is
6 denied, the Director shall cause written notice of that denial
7 and the reasons for that denial to be sent to the claimant.

8 (b) Payment of claims one dollar and under. Where the
9 amount of the grant computed under Section 4 is less than one
10 dollar, the Department shall pay to the claimant one dollar.

11 (c) Right to appeal. Any person aggrieved by an action or
12 determination of the Department on Aging arising under any of
13 its powers or duties under this Act may request in writing that
14 the Department on Aging reconsider its action or determination,
15 setting out the facts upon which the request is based. The
16 Department on Aging shall consider the request and either
17 modify or affirm its prior action or determination. The
18 Department on Aging may adopt, by rule, procedures for
19 conducting its review under this Section.

20 Any person aggrieved by an action or determination of the
21 Department of Healthcare and Family Services arising under any
22 of its powers or duties under this Act may request in writing
23 that the Department of Healthcare and Family Services
24 reconsider its action or determination, setting out the facts
25 upon which the request is based. The Department of Healthcare
26 and Family Services shall consider the request and either

1 modify or affirm its prior action or determination. The
2 Department of Healthcare and Family Services may adopt, by
3 rule, procedures for conducting its review under this Section.

4 (d) (Blank).

5 (Source: P.A. 96-804, eff. 1-1-10; 97-689, eff. 6-14-12.)

6 (320 ILCS 25/8) (from Ch. 67 1/2, par. 408)

7 Sec. 8. Records. Every claimant of a grant under this Act
8 and, ~~prior to July 1, 2012,~~ every applicant for pharmaceutical
9 assistance under this Act shall keep such records, render such
10 statements, file such forms and comply with such rules and
11 regulations as the Department on Aging may from time to time
12 prescribe. The Department on Aging may by regulations require
13 landlords to furnish to tenants statements as to gross rent or
14 rent constituting property taxes accrued.

15 (Source: P.A. 96-804, eff. 1-1-10; 97-689, eff. 6-14-12.)

16 (320 ILCS 25/9) (from Ch. 67 1/2, par. 409)

17 Sec. 9. Fraud; error.

18 (a) Any person who files a fraudulent claim for a grant
19 under this Act, or who for compensation prepares a claim for a
20 grant and knowingly enters false information on an application
21 for any claimant under this Act, or who fraudulently files
22 multiple applications, or who fraudulently states that a person
23 without a disability is a person with a disability, or who ~~7~~
24 ~~prior to July 1, 2012,~~ fraudulently procures pharmaceutical

1 assistance benefits, or who fraudulently uses such assistance
2 to procure covered prescription drugs, or who, on behalf of an
3 authorized pharmacy, files a fraudulent request for payment, is
4 guilty of a Class 4 felony for the first offense and is guilty
5 of a Class 3 felony for each subsequent offense.

6 (b) The Department on Aging and the Department of
7 Healthcare and Family Services shall immediately suspend the
8 pharmaceutical assistance benefits of any person suspected of
9 fraudulent procurement or fraudulent use of such assistance,
10 and shall revoke such assistance upon a conviction. A person
11 convicted of fraud under subsection (a) shall be permanently
12 barred from all of the programs established under this Act.

13 ~~(Blank)~~.

14 (c) The Department on Aging may recover from a claimant any
15 amount paid to that claimant under this Act on account of an
16 erroneous or fraudulent claim, together with 6% interest per
17 year. Amounts recoverable from a claimant by the Department on
18 Aging under this Act may, but need not, be recovered by
19 offsetting the amount owed against any future grant payable to
20 the person under this Act.

21 The Department of Healthcare and Family Services may
22 recover ~~for acts prior to July 1, 2012~~ from an authorized
23 pharmacy any amount paid to that pharmacy under the
24 pharmaceutical assistance program on account of an erroneous or
25 fraudulent request for payment under that program, together
26 with 6% interest per year. The Department of Healthcare and

1 Family Services may recover from a person who erroneously or
2 fraudulently obtains benefits under the pharmaceutical
3 assistance program the value of the benefits so obtained,
4 together with 6% interest per year.

5 (d) A prosecution for a violation of this Section may be
6 commenced at any time within 3 years of the commission of that
7 violation.

8 (Source: P.A. 99-143, eff. 7-27-15.)

9 (320 ILCS 25/12) (from Ch. 67 1/2, par. 412)

10 Sec. 12. Regulations - Department on Aging.

11 (a) Regulations. Notwithstanding any other provision to
12 the contrary, the Department on Aging may adopt rules regarding
13 applications, proof of eligibility, required identification
14 information, use of social security numbers, counting of
15 income, and a method of computing "gross rent" in the case of a
16 claimant living in a nursing or sheltered care home, and any
17 other rules necessary for the cost-efficient operation of the
18 program established under Section 4.

19 (b) The Department on Aging shall, to the extent of
20 appropriations made for that purpose:

21 (1) attempt to secure the cooperation of appropriate
22 federal, State and local agencies in securing the names and
23 addresses of persons to whom this Act pertains;

24 (2) prepare a mailing list of persons eligible for
25 grants under this Act;

1 (3) secure the cooperation of the Department of
2 Revenue, the Department of Healthcare and Family Services,
3 other State agencies, and local business establishments to
4 facilitate distribution of applications under this Act to
5 those eligible to file claims; and

6 (4) through use of direct mail, newspaper
7 advertisements and radio and television advertisements,
8 and all other appropriate means of communication, conduct
9 an on-going public relations program to increase awareness
10 of eligible citizens of the benefits under this Act and the
11 procedures for applying for them.

12 (Source: P.A. 96-804, eff. 1-1-10; 97-689, eff. 6-14-12.)

13 (320 ILCS 25/13) (from Ch. 67 1/2, par. 413)

14 Sec. 13. List of persons who have qualified. The Department
15 on Aging shall maintain a list of all persons who have
16 qualified under this Act and shall make the list available to
17 the Department of Healthcare and Family Services, the
18 Department of Public Health, the Secretary of State,
19 municipalities, and public transit authorities upon request.

20 All information received by a State agency, municipality,
21 or public transit authority under this Section shall be
22 confidential, except for official purposes, and any person who
23 divulges or uses that information in any manner, except in
24 accordance with a proper judicial order, shall be guilty of a
25 Class B misdemeanor.

1 (Source: P.A. 96-804, eff. 1-1-10; 97-689, eff. 6-14-12.)

2 Section 70. The Senior Citizens Real Estate Tax Deferral
3 Act is amended by changing Sections 2 and 8 as follows:

4 (320 ILCS 30/2) (from Ch. 67 1/2, par. 452)

5 Sec. 2. Definitions. As used in this Act:

6 (a) "Taxpayer" means an individual whose household income
7 for the year is no greater than: (i) \$40,000 through tax year
8 2005; (ii) \$50,000 for tax years 2006 through 2011; and (iii)
9 \$55,000 for tax year 2012 and thereafter.

10 (b) "Tax deferred property" means the property upon which
11 real estate taxes are deferred under this Act.

12 (c) "Homestead" means the land and buildings thereon,
13 including a condominium or a dwelling unit in a multidwelling
14 building that is owned and operated as a cooperative, occupied
15 by the taxpayer as his residence or which are temporarily
16 unoccupied by the taxpayer because such taxpayer is temporarily
17 residing, for not more than 1 year, in a licensed facility as
18 defined in Section 1-113 of the Nursing Home Care Act.

19 (d) "Real estate taxes" or "taxes" means the taxes on real
20 property for which the taxpayer would be liable under the
21 Property Tax Code, including special service area taxes, and
22 special assessments on benefited real property for which the
23 taxpayer would be liable to a unit of local government.

24 (e) "Department" means the Department of Revenue.

1 (f) "Qualifying property" means a homestead which (a) the
2 taxpayer or the taxpayer and his spouse own in fee simple or
3 are purchasing in fee simple under a recorded instrument of
4 sale, (b) is not income-producing property, (c) is not subject
5 to a lien for unpaid real estate taxes when a claim under this
6 Act is filed, and (d) is not held in trust, other than an
7 Illinois land trust with the taxpayer identified as the sole
8 beneficiary, if the taxpayer is filing for the program for the
9 first time effective as of the January 1, 2011 assessment year
10 or tax year 2012 and thereafter.

11 (g) "Equity interest" means the current assessed valuation
12 of the qualified property times the fraction necessary to
13 convert that figure to full market value minus any outstanding
14 debts or liens on that property. In the case of qualifying
15 property not having a separate assessed valuation, the
16 appraised value as determined by a qualified real estate
17 appraiser shall be used instead of the current assessed
18 valuation.

19 (h) "Household income" has the meaning ascribed to that
20 term in the Senior Citizens and Persons with Disabilities
21 Property Tax Relief and Pharmaceutical Assistance Act.

22 (i) "Collector" means the county collector or, if the taxes
23 to be deferred are special assessments, an official designated
24 by a unit of local government to collect special assessments.

25 (Source: P.A. 99-143, eff. 7-27-15.)

1 (320 ILCS 30/8) (from Ch. 67 1/2, par. 458)

2 Sec. 8. Nothing in this Act (a) affects any provision of
3 any mortgage or other instrument relating to land requiring a
4 person to pay real estate taxes or (b) affects the eligibility
5 of any person to receive any grant pursuant to the "Senior
6 Citizens and Persons with Disabilities Property Tax Relief and
7 Pharmaceutical Assistance Act".

8 (Source: P.A. 99-143, eff. 7-27-15.)

9 Section 75. The Senior Pharmaceutical Assistance Act is
10 amended by changing Section 5 as follows:

11 (320 ILCS 50/5)

12 Sec. 5. Findings. The General Assembly finds:

13 (1) Senior citizens identify pharmaceutical assistance as
14 the single most critical factor to their health, well-being,
15 and continued independence.

16 (2) The State of Illinois currently operates 2
17 pharmaceutical assistance programs that benefit seniors: (i)
18 the program of pharmaceutical assistance under the Senior
19 Citizens and Persons with Disabilities Property Tax Relief and
20 Pharmaceutical Assistance Act and (ii) the Aid to the Aged,
21 Blind, or Disabled program under the Illinois Public Aid Code.
22 The State has been given authority to establish a third
23 program, SeniorRx Care, through a federal Medicaid waiver.

24 (3) Each year, numerous pieces of legislation are filed

1 seeking to establish additional pharmaceutical assistance
2 benefits for seniors or to make changes to the existing
3 programs.

4 (4) Establishment of a pharmaceutical assistance review
5 committee will ensure proper coordination of benefits,
6 diminish the likelihood of duplicative benefits, and ensure
7 that the best interests of seniors are served.

8 (5) In addition to the State pharmaceutical assistance
9 programs, several private entities, such as drug manufacturers
10 and pharmacies, also offer prescription drug discount or
11 coverage programs.

12 (6) Many seniors are unaware of the myriad of public and
13 private programs available to them.

14 (7) Establishing a pharmaceutical clearinghouse with a
15 toll-free hot-line and local outreach workers will educate
16 seniors about the vast array of options available to them and
17 enable seniors to make an educated and informed choice that is
18 best for them.

19 (8) Estimates indicate that almost one-third of senior
20 citizens lack prescription drug coverage. The federal
21 government, states, and the pharmaceutical industry each have a
22 role in helping these uninsured seniors gain access to
23 life-saving medications.

24 (9) The State of Illinois has recognized its obligation to
25 assist Illinois' neediest seniors in purchasing prescription
26 medications, and it is now time for pharmaceutical

1 manufacturers to recognize their obligation to make their
2 medications affordable to seniors.

3 (Source: P.A. 99-143, eff. 7-27-15.)

4 Section 80. The Illinois Vehicle Code is amended by
5 changing Sections 3-609, 3-623, 3-626, 3-667, 3-683, 3-806.3,
6 and 11-1301.2 as follows:

7 (625 ILCS 5/3-609) (from Ch. 95 1/2, par. 3-609)

8 Sec. 3-609. Plates for veterans with disabilities.

9 (a) Any veteran who holds proof of a service-connected
10 disability from the United States Department of Veterans
11 Affairs, and who has obtained certification from a licensed
12 physician, physician assistant, or advanced practice
13 registered nurse that the service-connected disability
14 qualifies the veteran for issuance of registration plates or
15 decals to a person with disabilities in accordance with Section
16 3-616, may, without the payment of any registration fee, make
17 application to the Secretary of State for license plates for
18 veterans with disabilities displaying the international symbol
19 of access, for the registration of one motor vehicle of the
20 first division or one motor vehicle of the second division
21 weighing not more than 8,000 pounds.

22 (b) Any veteran who holds proof of a service-connected
23 disability from the United States Department of Veterans
24 Affairs, and whose degree of disability has been declared to be

1 50% or more, but whose disability does not qualify the veteran
2 for a plate or decal for persons with disabilities under
3 Section 3-616, may, without the payment of any registration
4 fee, make application to the Secretary for a special
5 registration plate without the international symbol of access
6 for the registration of one motor vehicle of the first division
7 or one motor vehicle of the second division weighing not more
8 than 8,000 pounds.

9 (c) Renewal of such registration must be accompanied with
10 documentation for eligibility of registration without fee
11 unless the applicant has a permanent qualifying disability, and
12 such registration plates may not be issued to any person not
13 eligible therefor. The Illinois Department of Veterans'
14 Affairs may assist in providing the documentation of
15 disability.

16 (d) The design and color of the plates shall be within the
17 discretion of the Secretary, except that the plates issued
18 under subsection (b) of this Section shall not contain the
19 international symbol of access. The Secretary may, in his or
20 her discretion, allow the plates to be issued as vanity or
21 personalized plates in accordance with Section 3-405.1 of this
22 Code. Registration shall be for a multi-year period and may be
23 issued staggered registration.

24 (e) Any person eligible to receive license plates under
25 this Section who has been approved for benefits under the
26 Senior Citizens and Persons with Disabilities Property Tax

1 Relief and Pharmaceutical Assistance Act, or who has claimed
2 and received a grant under that Act, shall pay a fee of \$24
3 instead of the fee otherwise provided in this Code for
4 passenger cars displaying standard multi-year registration
5 plates issued under Section 3-414.1, for motor vehicles
6 registered at 8,000 pounds or less under Section 3-815(a), or
7 for recreational vehicles registered at 8,000 pounds or less
8 under Section 3-815(b), for a second set of plates under this
9 Section.

10 (Source: P.A. 99-143, eff. 7-27-15; 100-513, eff. 1-1-18.)

11 (625 ILCS 5/3-623) (from Ch. 95 1/2, par. 3-623)

12 Sec. 3-623. Purple Heart Plates.

13 (a) The Secretary, upon receipt of an application made in
14 the form prescribed by the Secretary of State, may issue to
15 recipients awarded the Purple Heart by a branch of the armed
16 forces of the United States who reside in Illinois, special
17 registration plates. The Secretary, upon receipt of the proper
18 application, may also issue these special registration plates
19 to an Illinois resident who is the surviving spouse of a person
20 who was awarded the Purple Heart by a branch of the armed
21 forces of the United States. The special plates issued pursuant
22 to this Section should be affixed only to passenger vehicles of
23 the 1st division, including motorcycles, or motor vehicles of
24 the 2nd division weighing not more than 8,000 pounds. The
25 Secretary may, in his or her discretion, allow the plates to be

1 issued as vanity or personalized plates in accordance with
2 Section 3-405.1 of this Code. The Secretary of State must make
3 a version of the special registration plates authorized under
4 this Section in a form appropriate for motorcycles.

5 (b) The design and color of such plates shall be wholly
6 within the discretion of the Secretary of State. Appropriate
7 documentation, as determined by the Secretary, and the
8 appropriate registration fee shall accompany the application,
9 except:

10 (1) a person eligible to be issued Purple Heart plates
11 may display the plates on one vehicle without the payment
12 of any registration or registration renewal fee; and

13 (2) for an individual who has been issued Purple Heart
14 plates for an additional vehicle and who has been approved
15 for benefits under the Senior Citizens and Persons with
16 Disabilities Property Tax Relief and Pharmaceutical
17 Assistance Act, the annual fee for the registration of the
18 vehicle shall be as provided in Section 3-806.3 of this
19 Code.

20 (Source: P.A. 98-902, eff. 1-1-15; 99-143, eff. 7-27-15.)

21 (625 ILCS 5/3-626)

22 Sec. 3-626. Korean War Veteran license plates.

23 (a) In addition to any other special license plate, the
24 Secretary, upon receipt of all applicable fees and applications
25 made in the form prescribed by the Secretary of State, may

1 issue special registration plates designated as Korean War
2 Veteran license plates to residents of Illinois who
3 participated in the United States Armed Forces during the
4 Korean War. The special plate issued under this Section shall
5 be affixed only to passenger vehicles of the first division,
6 motorcycles, motor vehicles of the second division weighing not
7 more than 8,000 pounds, and recreational vehicles as defined by
8 Section 1-169 of this Code. Plates issued under this Section
9 shall expire according to the staggered multi-year procedure
10 established by Section 3-414.1 of this Code.

11 (b) The design, color, and format of the plates shall be
12 wholly within the discretion of the Secretary of State. The
13 Secretary may, in his or her discretion, allow the plates to be
14 issued as vanity plates or personalized in accordance with
15 Section 3-405.1 of this Code. The plates are not required to
16 designate "Land Of Lincoln", as prescribed in subsection (b) of
17 Section 3-412 of this Code. The Secretary shall prescribe the
18 eligibility requirements and, in his or her discretion, shall
19 approve and prescribe stickers or decals as provided under
20 Section 3-412.

21 (c) (Blank).

22 (d) The Korean War Memorial Construction Fund is created as
23 a special fund in the State treasury. All moneys in the Korean
24 War Memorial Construction Fund shall, subject to
25 appropriation, be used by the Department of Veterans' Affairs
26 to provide grants for construction of the Korean War Memorial

1 to be located at Oak Ridge Cemetery in Springfield, Illinois.
2 Upon the completion of the Memorial, the Department of
3 Veterans' Affairs shall certify to the State Treasurer that the
4 construction of the Memorial has been completed. Upon the
5 certification by the Department of Veterans' Affairs, the State
6 Treasurer shall transfer all moneys in the Fund and any future
7 deposits into the Fund into the Secretary of State Special
8 License Plate Fund.

9 (e) An individual who has been issued Korean War Veteran
10 license plates for a vehicle and who has been approved for
11 benefits under the Senior Citizens and Persons with
12 Disabilities Property Tax Relief and Pharmaceutical Assistance
13 Act shall pay the original issuance and the regular annual fee
14 for the registration of the vehicle as provided in Section
15 3-806.3 of this Code.

16 (Source: P.A. 99-127, eff. 1-1-16; 99-143, eff. 7-27-15;
17 99-642, eff. 7-28-16; 100-143, eff. 1-1-18.)

18 (625 ILCS 5/3-667)

19 Sec. 3-667. Korean Service license plates.

20 (a) In addition to any other special license plate, the
21 Secretary, upon receipt of all applicable fees and applications
22 made in the form prescribed by the Secretary of State, may
23 issue special registration plates designated as Korean Service
24 license plates to residents of Illinois who, on or after July
25 27, 1954, participated in the United States Armed Forces in

1 Korea. The special plate issued under this Section shall be
2 affixed only to passenger vehicles of the first division,
3 motorcycles, motor vehicles of the second division weighing not
4 more than 8,000 pounds, and recreational vehicles as defined by
5 Section 1-169 of this Code. Plates issued under this Section
6 shall expire according to the staggered multi-year procedure
7 established by Section 3-414.1 of this Code.

8 (b) The design, color, and format of the plates shall be
9 wholly within the discretion of the Secretary of State. The
10 Secretary may, in his or her discretion, allow the plates to be
11 issued as vanity or personalized plates in accordance with
12 Section 3-405.1 of this Code. The plates are not required to
13 designate "Land of Lincoln", as prescribed in subsection (b) of
14 Section 3-412 of this Code. The Secretary shall prescribe the
15 eligibility requirements and, in his or her discretion, shall
16 approve and prescribe stickers or decals as provided under
17 Section 3-412.

18 (c) An applicant shall be charged a \$2 fee for original
19 issuance in addition to the applicable registration fee. This
20 additional fee shall be deposited into the Korean War Memorial
21 Construction Fund a special fund in the State treasury.

22 (d) An individual who has been issued Korean Service
23 license plates for a vehicle and who has been approved for
24 benefits under the Senior Citizens and Persons with
25 Disabilities Property Tax Relief and Pharmaceutical Assistance
26 Act shall pay the original issuance and the regular annual fee

1 for the registration of the vehicle as provided in Section
2 3-806.3 of this Code in addition to the fees specified in
3 subsection (c) of this Section.

4 (Source: P.A. 99-143, eff. 7-27-15.)

5 (625 ILCS 5/3-683)

6 Sec. 3-683. Distinguished Service Cross license plates.
7 The Secretary, upon receipt of an application made in the form
8 prescribed by the Secretary of State, shall issue special
9 registration plates to any Illinois resident who has been
10 awarded the Distinguished Service Cross by a branch of the
11 armed forces of the United States. The Secretary, upon receipt
12 of the proper application, shall also issue these special
13 registration plates to an Illinois resident who is the
14 surviving spouse of a person who was awarded the Distinguished
15 Service Cross by a branch of the armed forces of the United
16 States. The special plates issued under this Section should be
17 affixed only to passenger vehicles of the first division,
18 including motorcycles, or motor vehicles of the second division
19 weighing not more than 8,000 pounds.

20 The design and color of the plates shall be wholly within
21 the discretion of the Secretary of State. Appropriate
22 documentation, as determined by the Secretary, and the
23 appropriate registration fee shall accompany the application.
24 However, for an individual who has been issued Distinguished
25 Service Cross plates for a vehicle and who has been approved

1 for benefits under the Senior Citizens and Persons with
2 Disabilities Property Tax Relief and Pharmaceutical Assistance
3 Act, the annual fee for the registration of the vehicle shall
4 be as provided in Section 3-806.3 of this Code.

5 (Source: P.A. 99-143, eff. 7-27-15.)

6 (625 ILCS 5/3-806.3) (from Ch. 95 1/2, par. 3-806.3)

7 Sec. 3-806.3. Senior citizens. Commencing with the 2009
8 registration year, the registration fee paid by any vehicle
9 owner who has been approved for benefits under the Senior
10 Citizens and Persons with Disabilities Property Tax Relief and
11 Pharmaceutical Assistance Act or who is the spouse of such a
12 person shall be \$24 instead of the fee otherwise provided in
13 this Code for passenger cars displaying standard multi-year
14 registration plates issued under Section 3-414.1, motor
15 vehicles displaying special registration plates issued under
16 Section 3-609, 3-616, 3-621, 3-622, 3-623, 3-624, 3-625, 3-626,
17 3-628, 3-638, 3-642, 3-645, 3-647, 3-650, 3-651, or 3-663,
18 motor vehicles registered at 8,000 pounds or less under Section
19 3-815(a), and recreational vehicles registered at 8,000 pounds
20 or less under Section 3-815(b). Widows and widowers of
21 claimants shall also be entitled to this reduced registration
22 fee for the registration year in which the claimant was
23 eligible.

24 Commencing with the 2009 registration year, the
25 registration fee paid by any vehicle owner who has claimed and

1 received a grant under the Senior Citizens and Persons with
2 Disabilities Property Tax Relief and Pharmaceutical Assistance
3 Act or who is the spouse of such a person shall be \$24 instead
4 of the fee otherwise provided in this Code for passenger cars
5 displaying standard multi-year registration plates issued
6 under Section 3-414.1, motor vehicles displaying special
7 registration plates issued under Section 3-607, 3-609, 3-616,
8 3-621, 3-622, 3-623, 3-624, 3-625, 3-626, 3-628, 3-638, 3-642,
9 3-645, 3-647, 3-650, 3-651, 3-663, or 3-664, motor vehicles
10 registered at 8,000 pounds or less under Section 3-815(a), and
11 recreational vehicles registered at 8,000 pounds or less under
12 Section 3-815(b). Widows and widowers of claimants shall also
13 be entitled to this reduced registration fee for the
14 registration year in which the claimant was eligible.

15 Commencing with the 2017 registration year, the reduced fee
16 under this Section shall apply to any special registration
17 plate authorized in Article VI of Chapter 3 of this Code for
18 which the applicant would otherwise be eligible.

19 Surcharges for vehicle registrations under Section 3-806
20 of this Code shall not be collected from any vehicle owner who
21 has been approved for benefits under the Senior Citizens and
22 Persons with Disabilities ~~Disabled Persons~~ Property Tax Relief
23 and Pharmaceutical Assistance Act or a person who is the spouse
24 of such a person.

25 No more than one reduced registration fee under this
26 Section shall be allowed during any 12-month period based on

1 the primary eligibility of any individual, whether such reduced
2 registration fee is allowed to the individual or to the spouse,
3 widow or widower of such individual. This Section does not
4 apply to the fee paid in addition to the registration fee for
5 motor vehicles displaying vanity, personalized, or special
6 license plates.

7 (Source: P.A. 99-71, eff. 1-1-16; 99-143, eff. 7-27-15; 99-642,
8 eff. 7-28-16; 99-707, eff. 7-29-16.)

9 (625 ILCS 5/11-1301.2) (from Ch. 95 1/2, par. 11-1301.2)

10 Sec. 11-1301.2. Special decals for parking; persons with
11 disabilities.

12 (a) The Secretary of State shall provide for, by
13 administrative rules, the design, size, color, and placement of
14 a person with disabilities motorist decal or device and shall
15 provide for, by administrative rules, the content and form of
16 an application for a person with disabilities motorist decal or
17 device, which shall be used by local authorities in the
18 issuance thereof to a person with temporary disabilities,
19 provided that the decal or device is valid for no more than 90
20 days, subject to renewal for like periods based upon continued
21 disability, and further provided that the decal or device
22 clearly sets forth the date that the decal or device expires.
23 The application shall include the requirement of an Illinois
24 Identification Card number or a State of Illinois driver's
25 license number or, if the applicant does not have an

1 identification card or driver's license number, then the
2 applicant may use a valid identification number issued by a
3 branch of the U.S. military or a federally issued Medicare or
4 Medicaid identification number. This decal or device may be
5 used by the authorized holder to designate and identify a
6 vehicle not owned or displaying a registration plate as
7 provided in Sections 3-609 and 3-616 of this Act to designate
8 when the vehicle is being used to transport said person or
9 persons with disabilities, and thus is entitled to enjoy all
10 the privileges that would be afforded a person with
11 disabilities licensed vehicle. Person with disabilities decals
12 or devices issued and displayed pursuant to this Section shall
13 be recognized and honored by all local authorities regardless
14 of which local authority issued such decal or device.

15 The decal or device shall be issued only upon a showing by
16 adequate documentation that the person for whose benefit the
17 decal or device is to be used has a disability as defined in
18 Section 1-159.1 of this Code and the disability is temporary.

19 (b) The local governing authorities shall be responsible
20 for the provision of such decal or device, its issuance and
21 designated placement within the vehicle. The cost of such decal
22 or device shall be at the discretion of such local governing
23 authority.

24 (c) The Secretary of State may, pursuant to Section
25 3-616(c), issue a person with disabilities parking decal or
26 device to a person with disabilities as defined by Section

1 1-159.1. Any person with disabilities parking decal or device
2 issued by the Secretary of State shall be registered to that
3 person with disabilities in the form to be prescribed by the
4 Secretary of State. The person with disabilities parking decal
5 or device shall not display that person's address. One
6 additional decal or device may be issued to an applicant upon
7 his or her written request and with the approval of the
8 Secretary of State. The written request must include a
9 justification of the need for the additional decal or device.

10 (c-5) Beginning January 1, 2014, the Secretary shall
11 provide by administrative rule for the issuance of a separate
12 and distinct parking decal or device for persons with
13 disabilities as defined by Section 1-159.1 of this Code and who
14 meet the qualifications under this subsection. The authorized
15 holder of a decal or device issued under this subsection (c-5)
16 shall be exempt from the payment of fees generated by parking
17 in a metered space, a parking area subject to paragraph (10) of
18 subsection (a) of Section 11-209 of this Code, or a publicly
19 owned parking area.

20 The Secretary shall issue a meter-exempt decal or device to
21 a person with disabilities who: (i) has been issued
22 registration plates under subsection (a) of Section 3-609 or
23 Section 3-616 of this Code or a special decal or device under
24 this Section, (ii) holds a valid Illinois driver's license, and
25 (iii) is unable to do one or more of the following:

26 (1) manage, manipulate, or insert coins, or obtain

1 tickets or tokens in parking meters or ticket machines in
2 parking lots, due to the lack of fine motor control of both
3 hands;

4 (2) reach above his or her head to a height of 42
5 inches from the ground, due to a lack of finger, hand, or
6 upper extremity strength or mobility;

7 (3) approach a parking meter due to his or her use of a
8 wheelchair or other device for mobility; or

9 (4) walk more than 20 feet due to an orthopedic,
10 neurological, cardiovascular, or lung condition in which
11 the degree of debilitation is so severe that it almost
12 completely impedes the ability to walk.

13 The application for a meter-exempt parking decal or device
14 shall contain a statement certified by a licensed physician,
15 physician assistant, or advanced practice registered nurse
16 attesting to the permanent nature of the applicant's condition
17 and verifying that the applicant meets the physical
18 qualifications specified in this subsection (c-5).

19 Notwithstanding the requirements of this subsection (c-5),
20 the Secretary shall issue a meter-exempt decal or device to a
21 person who has been issued registration plates under Section
22 3-616 of this Code or a special decal or device under this
23 Section, if the applicant is the parent or guardian of a person
24 with disabilities who is under 18 years of age and incapable of
25 driving.

26 (d) Replacement decals or devices may be issued for lost,

1 stolen, or destroyed decals upon application and payment of a
2 \$10 fee. The replacement fee may be waived for individuals that
3 have claimed and received a grant under the Senior Citizens and
4 Persons with Disabilities Property Tax Relief and
5 Pharmaceutical Assistance Act.

6 (e) A person classified as a veteran under subsection (e)
7 of Section 6-106 of this Code that has been issued a decal or
8 device under this Section shall not be required to submit
9 evidence of disability in order to renew that decal or device
10 if, at the time of initial application, he or she submitted
11 evidence from his or her physician or the Department of
12 Veterans' Affairs that the disability is of a permanent nature.
13 However, the Secretary shall take reasonable steps to ensure
14 the veteran still resides in this State at the time of the
15 renewal. These steps may include requiring the veteran to
16 provide additional documentation or to appear at a Secretary of
17 State facility. To identify veterans who are eligible for this
18 exemption, the Secretary shall compare the list of the persons
19 who have been issued a decal or device to the list of persons
20 who have been issued a vehicle registration plate for veterans
21 with disabilities under Section 3-609 of this Code, or who are
22 identified as a veteran on their driver's license under Section
23 6-110 of this Code or on their identification card under
24 Section 4 of the Illinois Identification Card Act.

25 (Source: P.A. 99-143, eff. 7-27-15; 100-513, eff. 1-1-18;
26 100-702, eff. 1-1-19.)

1 Section 85. The Criminal Code of 2012 is amended by
2 changing Section 17-6.5 as follows:

3 (720 ILCS 5/17-6.5)

4 Sec. 17-6.5. Persons under deportation order;
5 ineligibility for benefits.

6 (a) An individual against whom a United States Immigration
7 Judge has issued an order of deportation which has been
8 affirmed by the Board of Immigration Review, as well as an
9 individual who appeals such an order pending appeal, under
10 paragraph 19 of Section 241(a) of the Immigration and
11 Nationality Act relating to persecution of others on account of
12 race, religion, national origin or political opinion under the
13 direction of or in association with the Nazi government of
14 Germany or its allies, shall be ineligible for the following
15 benefits authorized by State law:

16 (1) The homestead exemptions and homestead improvement
17 exemption under Sections 15-170, 15-175, 15-176, and
18 15-180 of the Property Tax Code.

19 (2) Grants under the Senior Citizens and Persons with
20 Disabilities Property Tax Relief and Pharmaceutical
21 Assistance Act.

22 (3) The double income tax exemption conferred upon
23 persons 65 years of age or older by Section 204 of the
24 Illinois Income Tax Act.

1 (4) Grants provided by the Department on Aging.

2 (5) Reductions in vehicle registration fees under
3 Section 3-806.3 of the Illinois Vehicle Code.

4 (6) Free fishing and reduced fishing license fees under
5 Sections 20-5 and 20-40 of the Fish and Aquatic Life Code.

6 (7) Tuition free courses for senior citizens under the
7 Senior Citizen Courses Act.

8 (8) Any benefits under the Illinois Public Aid Code.

9 (b) If a person has been found by a court to have knowingly
10 received benefits in violation of subsection (a) and:

11 (1) the total monetary value of the benefits received
12 is less than \$150, the person is guilty of a Class A
13 misdemeanor; a second or subsequent violation is a Class 4
14 felony;

15 (2) the total monetary value of the benefits received
16 is \$150 or more but less than \$1,000, the person is guilty
17 of a Class 4 felony; a second or subsequent violation is a
18 Class 3 felony;

19 (3) the total monetary value of the benefits received
20 is \$1,000 or more but less than \$5,000, the person is
21 guilty of a Class 3 felony; a second or subsequent
22 violation is a Class 2 felony;

23 (4) the total monetary value of the benefits received
24 is \$5,000 or more but less than \$10,000, the person is
25 guilty of a Class 2 felony; a second or subsequent
26 violation is a Class 1 felony; or

1 (5) the total monetary value of the benefits received
2 is \$10,000 or more, the person is guilty of a Class 1
3 felony.

4 (c) For purposes of determining the classification of an
5 offense under this Section, all of the monetary value of the
6 benefits received as a result of the unlawful act, practice, or
7 course of conduct may be accumulated.

8 (d) Any grants awarded to persons described in subsection
9 (a) may be recovered by the State of Illinois in a civil action
10 commenced by the Attorney General in the circuit court of
11 Sangamon County or the State's Attorney of the county of
12 residence of the person described in subsection (a).

13 (e) An individual described in subsection (a) who has been
14 deported shall be restored to any benefits which that
15 individual has been denied under State law pursuant to
16 subsection (a) if (i) the Attorney General of the United States
17 has issued an order cancelling deportation and has adjusted the
18 status of the individual to that of an alien lawfully admitted
19 for permanent residence in the United States or (ii) the
20 country to which the individual has been deported adjudicates
21 or exonerates the individual in a judicial or administrative
22 proceeding as not being guilty of the persecution of others on
23 account of race, religion, national origin, or political
24 opinion under the direction of or in association with the Nazi
25 government of Germany or its allies.

26 (Source: P.A. 99-143, eff. 7-27-15.)

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