

SB2224



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB2224

Introduced 2/20/2009, by Sen. William Delgado

SYNOPSIS AS INTRODUCED:

320 ILCS 25/5

from Ch. 67 1/2, par. 405

Amends the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act. Provides that a person may not under any circumstances charge a fee to a claimant for assistance in completing an application form for a property tax relief grant or pharmaceutical assistance under the Act. Effective immediately.

LRB096 11427 DRJ 21897 b

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 5. The Senior Citizens and Disabled Persons
5 Property Tax Relief and Pharmaceutical Assistance Act is
6 amended by changing Section 5 as follows:

7 (320 ILCS 25/5) (from Ch. 67 1/2, par. 405)

8 Sec. 5. Procedure.

9 (a) In general. Claims must be filed after January 1, on
10 forms prescribed by the Department. No claim may be filed more
11 than one year after December 31 of the year for which the claim
12 is filed except that claims for 1976 may be filed until
13 December 31, 1978. The pharmaceutical assistance
14 identification card provided for in subsection (f) of Section 4
15 shall be valid for a period not to exceed one year. On and
16 after January 1, 2002, however, to enable the Department to
17 convert coverage for a pharmaceutical assistance program
18 participant to a State fiscal year basis, a card shall be valid
19 for a longer or shorter period than 12 months, depending on the
20 date a timely claim is filed and as determined by the
21 Department. All applicants for benefits under this program
22 approved for benefits on or after July 1 but on or before
23 December 31 of any State fiscal year are eligible for benefits

1 through June 30 of that State fiscal year. All applicants for
2 benefits under this program approved for benefits on or after
3 January 1 but on or before June 30 of any State fiscal year are
4 eligible for benefits through June 30 of the following State
5 fiscal year.

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

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

23 (d) Content of application form. The form prescribed by the
24 Department for purposes of paragraph (a) shall include a table,
25 appropriately keyed to the parts of the form on which the
26 claimant is required to furnish information, which will enable

1 the claimant to determine readily the approximate amount of
2 grant to which he is entitled by relating levels of household
3 income to property taxes accrued or rent constituting property
4 taxes accrued.

5 (e) Pharmaceutical Assistance Procedures. The Department
6 shall establish the form and manner for application, and
7 establish by January 1, 1986 a procedure to enable persons to
8 apply for the additional grant or for the pharmaceutical
9 assistance identification card on the same application form.
10 The Department shall determine eligibility for pharmaceutical
11 assistance using the applicant's current income. The
12 Department shall determine a person's current income in the
13 manner provided by the Department by rule.

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

18 (Source: P.A. 91-533, eff. 8-13-99; 91-699, eff. 1-1-01;
19 92-131, eff. 7-23-01; 92-519, eff. 1-1-02.)

20 Section 99. Effective date. This Act takes effect upon
21 becoming law.