



Sen. Ira I. Silverstein

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09800SB2904sam001

LRB098 19429 HEP 55994 a

1 AMENDMENT TO SENATE BILL 2904

2 AMENDMENT NO. _____. Amend Senate Bill 2904 on page 1,
3 line 5, by changing "Section 15-2" to "Sections 15-1 and 15-2";
4 and

5 on page 1, by inserting immediately below line 5 the following:

6 "(755 ILCS 5/15-1) (from Ch. 110 1/2, par. 15-1)
7 Sec. 15-1. Spouse's award.

8 (a) The surviving spouse of a deceased resident of this
9 State whose estate, whether testate or intestate, is
10 administered in this State, shall be allowed as the surviving
11 spouse's own property, exempt from the enforcement of a
12 judgment, garnishment or attachment in the possession of the
13 representative, a sum of money that the court deems reasonable
14 for the proper support of the surviving spouse for the period
15 of 9 months after the death of the decedent in a manner suited
16 to the condition in life of the surviving spouse and to the

1 condition of the estate and an additional sum of money that the
2 court deems reasonable for the proper support, during that
3 period, of minor and adult developmentally disabled ~~dependent~~
4 children of the decedent who reside with the surviving spouse
5 at the time of decedent's death. The award may in no case be
6 less than \$20,000, together with an additional sum not less
7 than \$10,000 for each such child. The award shall be paid to
8 the surviving spouse at such time or times, not exceeding 3
9 installments, as the court directs. If the surviving spouse
10 dies before the award for his support is paid in full, the
11 amount unpaid shall be paid to his estate. If the surviving
12 spouse dies or abandons a child before the award for the
13 support of a child is paid in full, the amount unpaid shall be
14 paid for the benefit of the child to such person as the court
15 directs.

16 (b) The surviving spouse is entitled to the award unless
17 the will of the decedent expressly provides that the provisions
18 thereof for the surviving spouse are in lieu of the award and
19 the surviving spouse does not renounce the will.

20 (c) The changes made by this amendatory Act of the 96th
21 General Assembly apply to a decedent whose date of death is on
22 or after the effective date of this amendatory Act of the 96th
23 General Assembly.

24 (Source: P.A. 96-968, eff. 7-2-10.); and

25 on page 1, lines 8 and 22, by replacing "~~dependent~~" each time

1 it appears with "developmentally disabled ~~dependent~~".