

**State of Illinois**  
**91<sup>st</sup> General Assembly**  
**Public Acts**

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**Public Act 91-0388**

HB2198 Enrolled

LRB9105224MWpc

AN ACT to amend the Homelessness Prevention Act by changing Sections 2, 3, 4, 5, 6, 8, 9, and 13 and by adding Sections 4.5 and 9.5.

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

Section 5. The Homelessness Prevention Act is amended by changing Sections 2, 3, 4, 5, 6, 8, 9, and 13 and by adding Sections 4.5 and 9.5 as follows:

(310 ILCS 70/2) (from Ch. 67 1/2, par. 1302)

Sec. 2. Legislative findings. The General Assembly finds that homelessness frequently results from a temporary economic crisis such as a temporary loss of employment, medical emergency, or loss or interruption of public benefits. It is also found that the prevention of homelessness, as opposed to providing temporary shelter or offering other short-term solutions to persons who become homeless, is cost-effective, preserves family self-respect and helps to keep families intact.

The General Assembly also finds that short-term interventions for the prevention of homelessness serve to prevent the need for long-term assistance programs that are more costly to taxpayers.

(Source: P.A. 86-1454.)

(310 ILCS 70/3) (from Ch. 67 1/2, par. 1303)

Sec. 3. Definitions. As used in this Act:

~~(a)~~ "Department" means the Department of Human Services (acting as successor to the Illinois Department of Public Aid under the Department of Human Services Act).

"Grantee" means a county, a township, a municipality, or an Illinois not-for-profit corporation receiving grants authorized by this Act.

~~(b)~~ "Household" means 2 or more persons residing together, or a person living alone.

"Service area" means the county, township, municipality, or other geographical area served by a grantee under this Act.

(Source: P.A. 89-507, eff. 7-1-97.)

(310 ILCS 70/4) (from Ch. 67 1/2, par. 1304)

Sec. 4. Homelessness Prevention and Assistance Program.

(a) The Department shall establish a family homelessness prevention and assistance program to stabilize families in their existing homes, to shorten the amount of time that families stay in emergency shelters, and to assist families with securing affordable transitional or permanent housing. The Department shall make grants, from funds appropriated to it from the Homelessness Prevention Fund, to develop and implement homelessness prevention and assistance projects under this Act. The Department is authorized to establish a Homeless Prevention Demonstration Program, but only if the State receives federal matching funds for expenditures made by the State under the Emergency Food and Shelter Program authorized by Section 12-4.5 of the Illinois Public Aid Code. No funds from the Emergency Food and Shelter Program authorized by Section 12-4.5 of the Illinois Public Aid Code may be used for this demonstration program.

(b) To fund this demonstration program, there is created in the State Treasury a fund to be known as the Homelessness Prevention Fund. As permitted by Section 12-5 of the Illinois Public Aid Code, the Department, with the consent of the Governor, may deposit into the Homelessness Prevention Fund any or all federal funds received as reimbursement for food and shelter assistance under the Emergency Food and Shelter Program authorized by Section 12-4.5 of the Illinois Public Aid Code. Moneys in the Fund, subject to appropriation, may be expended for the purposes of this Act. Under this demonstration program, grants shall be made on behalf of households, in times of crisis, which might otherwise become homeless. Grants may be made from funds appropriated for the purposes of this Act the program and from any federal funds or funds from other sources which are made available for the purposes of this Act this program. Grants shall be made under this Act the program only to the extent that such funds are available. The Department may limit the design and operation of the program to certain areas of the State. The Department may administer the program or may contract with a private nonprofit social service agency to administer the program.  
(Source: P.A. 89-507, eff. 7-1-97.)

(310 ILCS 70/4.5 new)

Sec. 4.5. Grant eligibility. The Department shall award grants to grantees that agree to focus their emergency response systems on homeless prevention and securing permanent or transitional housing for homeless households. The Department shall consider the extent to which the proposed project activities demonstrate ways in which existing resources in a service area may be more effectively coordinated. Priority in awarding grants will be given to applicants participating in an established continuum of care.

(310 ILCS 70/5) (from Ch. 67 1/2, par. 1305)

Sec. 5. Eligibility for assistance. Grantees may offer assistance to households in their service area when: No household shall be eligible for assistance unless:

(a) (Blank); the household meets categorical eligibility for the Aid to Families with Dependent Children Program and

~~has an income equal to or less than the standard of need for this program. The Department may establish, by rule, higher income levels;~~

(b) the household is in imminent danger of eviction, foreclosure or homelessness, or is currently homeless;

(c) the household documents a temporary economic crisis beyond the household's control, evidenced by at least one of the following conditions:

- (1) loss of employment;
- (2) medical disability or emergency;
- (3) loss or delay of some form of public benefits;
- (4) natural disaster;
- (5) substantial change in household composition;
- (6) victimization by criminal activity;
- (7) illegal action by a landlord;
- (8) displacement by government or private action;

or

(9) some other condition which constitutes a hardship comparable to the other conditions enumerated above;

(d) ~~all other federal, State or local housing subsidies are unavailable have been exhausted;~~ and

(e) the applicant demonstrates an ability to meet the prospective rental obligation after the assistance has been granted based on current or anticipated income.

(Source: P.A. 86-1454.)

(310 ILCS 70/6) (from Ch. 67 1/2, par. 1306)

Sec. 6. Forms of assistance. Assistance offered to households by grantees under the demonstration program shall include but not be limited to the following:

(a) payment of a rent arrearage in an amount established as necessary to defeat the eviction, but shall in no event be greater than 3 months of rental arrears; ~~or~~

(b) payment of a rent deposit or security deposit and payment of not more than 2 months rent; ~~-~~

(c) payment of utility bills and arrearages; or

(d) support services, where appropriate, to prevent homelessness or repeated episodes of homelessness.

(Source: P.A. 86-1454.)

(310 ILCS 70/8) (from Ch. 67 1/2, par. 1308)

Sec. 8. Payment of assistance. Assistance provided under this Act may be paid to a landlord, utility company, or other vendor who provides housing or other services to an applicant for assistance.

(Source: P.A. 86-1454.)

(310 ILCS 70/9) (from Ch. 67 1/2, par. 1309)

Sec. 9. Staff accepting applications; training and experience. A grantee's staff accepting applications from households for assistance under the program shall be trained or experienced in the following: the operation of the program and any regulations adopted in relation to the program by the Department; identification of federal, State and local agencies and services which are relevant to the program and the program's clients; dissemination of

information relating to the program; intake, screening and referral procedures; and other areas to be determined by the Department. If the Department contracts with a private entity for the operation of the program, the Department shall ensure that the staff of the entity have experience and training as specified in this Section.

(Source: P.A. 86-1454.)

(310 ILCS 70/9.5 new)

Sec. 9.5. Consultation. Grantees shall consult on a regular basis with the local established continuum of care in preparing the project proposal and in the design, implementation, and evaluation of the project.

(310 ILCS 70/13) (from Ch. 67 1/2, par. 1313)

Sec. 13. Report. The Department shall report on program activities that provide assistance or services to homeless persons under this Act as part of its annual report to the General Assembly. The Department shall conduct an evaluation of the program and present the findings from the evaluation in a report to the General Assembly and the Governor no later than 5 months after the first fiscal year of operation.

(Source: P.A. 86-1454.)

(310 ILCS 70/7 rep.)

Section 10. The Homelessness Prevention Act is amended by repealing Section 7.