

**SECOND AMENDMENT TO
THE SECOND RESTATEMENT OF
THE ILLINOIS DISABILITY POOLED TRUST**

TO: ILLINOIS DISABILITY ASSOCIATION (“IDA”), as the Co-Trustee, and CIBC BANK USA, as the Corporate Co-Trustee, in each case, of the ILLINOIS DISABILITY POOLED TRUST, dated July 17, 1998, as last restated in its entirety on November 6, 2012 and further amended on November 5, 2019 (the “Trust”).

Pursuant to the rights reserved to IDA under Section 8.2 and Article X of the Trust, IDA hereby amends the Trust in the following respects:

FIRST: IDA confirms, ratifies and readopts the First Amendment to The Second Restatement of The Illinois Disability Pooled Trust, dated November 5, 2019, which amended the Trust as follows:

1. Section 2.2 of the Trust is deleted in its entirety and the following new Section 2.2 is substituted therefor:

2.2. “Grantor” shall mean a parent, grandparent, or Guardian of a Beneficiary, the Beneficiary himself or herself, or any court (a) that establishes a Sub-Account within the Trust for the benefit of a Beneficiary, or (b) that contributes his, her, or its own assets to an existing Sub-Account of the Trust for the benefit of a Beneficiary, whether such contribution is by gift, will, Beneficiary designation, contract, or agreement.

2. Section 8.8 of the Trust is deleted in its entirety and the following new Section 8.8 is substituted therefor:

8.8. Trust’s Defense Costs and Expenses. Costs and expenses of defending the Trust from any claim, demand, legal or equitable action, suit, or proceeding shall be charged only against the Trust Sub-Accounts of the affected Beneficiaries.

3. Section 11.1(B) of the Trust is deleted in its entirety and the following new Section 11.1(B) is substituted therefor:

(B) Only with respect to a special needs trust that is not governed under 42 U.S.C. Section 1396p(d)(4)(c) and is not required to reimburse the State of Illinois and/or any other state(s) with all amounts

remaining in the Trust Sub-Account at the time of termination up to an amount equal to the total amount of medical assistance paid on behalf of the individual under the State of Illinois' Medicaid plan and/or the Medicaid plan(s) of any other state(s) on a prorated basis, such as a third party settled special needs trust, continue to administer the Trust Sub-Account under separate arrangement with the affected Beneficiary or his or her Primary Representative.

SECOND: Section 8.2(B)(6)(f) of the Trust is deleted in its entirety and the following new Section 8.2(B)(6)(f) is substituted therefor:

(f) The Trustee is authorized to compensate agents, accountants, custodians, legal and investment counsel and advisors for their services and reasonable expenses. These and any other expenses attributable to the Trust, including but not limited to reasonable administrative fees charged by the Illinois Disability Association, shall be charged against the trust property as provided in Section 8.7 of this Trust. These expenses shall be allocated to the trust accounts in proportion to their relative values.

THIRD: IDA confirms and readopts the remaining provisions of the Trust, reserving to itself the right to amend further the Trust and this second amendment thereto.

As settlor and co-trustee, IDA now signs and files a copy of this amendment with the trust records on January 23rd, 2020.

THE ILLINOIS DIABILITY ASSOCIATION

By: 

Howard S. Berk, its Executive Director
and President

STATE OF ILLINOIS)
) SS:
COUNTY OF COOK)

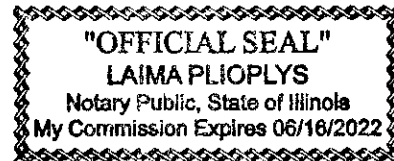
I, a notary public in and for said County and State, hereby certify that HOWARD S. BERK, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed that instrument as his free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and notarial seal on Jan 23, 2020.

LAIMA PLIOPLYS
Notary Public

This instrument was prepared by:

William R. Franzen
Kristen Hosack Pace
Schiff Hardin LLP
233 S. Wacker Drive
Suite 7100
Chicago, Illinois 60606
(312) 258-5500



CH2\22949069.2