



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

HB5381

Introduced 2/15/2012, by Rep. Richard Morthland - Dwight Kay

#### SYNOPSIS AS INTRODUCED:

305 ILCS 5/4-1.5b new

Amends the Temporary Assistance for Needy Families Article of the Illinois Public Aid Code. Provides that not later than 60 days after the effective date of this amendatory Act, the Department of Human Services shall, by emergency rule, establish a program of substance abuse testing as a condition of eligibility for benefits under the Temporary Assistance for Needy Families (TANF) program. Provides that the Department shall require applicants for TANF benefits to submit to substance abuse testing before a final determination of eligibility. Provides that an applicant shall be ineligible for TANF benefits if (i) the applicant tests positive for substance abuse or (ii) the applicant refuses to submit to substance abuse testing. Provides that if an applicant tests negative for substance abuse and meets all the other eligibility requirements for TANF benefits, the cost of administering the substance abuse test to the applicant shall be deducted from the applicant's first benefits payment.

LRB097 18209 KTG 63433 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning public aid.

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

4 Section 5. The Illinois Public Aid Code is amended by  
5 adding Section 4-1.5b as follows:

6 (305 ILCS 5/4-1.5b new)

7 Sec. 4-1.5b. Substance abuse testing; eligibility.

8 (a) Not later than 60 days after the effective date of this  
9 amendatory Act of the 97th General Assembly, the Department  
10 shall, by emergency rule adopted under Section 5-45 of the  
11 Illinois Administrative Procedure Act, establish a program of  
12 substance abuse testing as a condition of eligibility for  
13 benefits under this Article. The Department shall require  
14 applicants for benefits under this Article to submit to  
15 substance abuse testing before a final determination of  
16 eligibility.

17 (b) If an applicant tests positive for substance abuse, the  
18 applicant shall be ineligible to receive benefits under this  
19 Article.

20 (c) If an applicant refuses to submit to substance abuse  
21 testing, the applicant shall be ineligible to receive benefits  
22 under this Article.

23 (d) If an applicant tests negative for substance abuse and

1 meets all the other eligibility requirements for benefits under  
2 this Article, the cost of administering the substance abuse  
3 test to the applicant shall be deducted from the applicant's  
4 first benefits payment.