

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 changing Section 12-4.4 as follows:

6 (305 ILCS 5/12-4.4) (from Ch. 23, par. 12-4.4)

7 Sec. 12-4.4. Administration of federally-aided programs.
8 Direct County Departments of Public Aid in the administration
9 of the federally funded Supplemental Nutritional Assistance
10 (SNAP) Program ~~food stamp program~~, programs to aid refugees and
11 Articles III, IV, and V of this Code.

12 The Illinois Department of Human Services shall operate a
13 SNAP Employment and Training (SNAP E&T) program ~~Food Stamp~~
14 ~~Employment and Training (FSE&T) program~~ in compliance with
15 federal law. The SNAP E&T ~~FSE&T~~ program shall be voluntary in
16 every county except those in which the Department can show that
17 there are sufficient program slots for at least the majority of
18 the county's current non-exempt work registrants as described
19 in Section 11-20 of this Code. The SNAP E&T program will have
20 an Earnfare component. The Earnfare component shall be
21 available in selected geographic areas based on criteria
22 established by the Illinois Department of Human Services by
23 rule. Participants in Earnfare will, to the extent resources

1 allow, earn their assistance. Participation in the Earnfare
2 program is voluntary, except when ordered by a court of
3 competent jurisdiction. Eligibility for Earnfare may be
4 limited to only 6 months out of any 12 consecutive month
5 period. Clients are not entitled to be placed in an Earnfare
6 slot. Earnfare slots shall be made available only as resources
7 permit. Earnfare shall be available to persons receiving SNAP
8 benefits ~~food stamps~~ who meet eligibility criteria established
9 by the Illinois Department of Human Services by rule. The
10 Illinois Department may, by rule, extend the Earnfare Program
11 to clients who do not receive SNAP benefits ~~food stamps~~.
12 Receipt of SNAP benefits ~~food stamps~~ is not an eligibility
13 requirement of Earnfare when a court of competent jurisdiction
14 orders an individual to participate in the Earnfare Program. To
15 the extent resources permit, the Earnfare program will allow
16 participants to engage in work-related activities to earn
17 monthly financial assistance payments and to improve
18 participants' employability in order for them to succeed in
19 obtaining employment. The Illinois Department of Human
20 Services may enter into contracts with other public agencies
21 including State agencies, with local governmental units, and
22 with not-for-profit community based organizations to carry out
23 the elements of the Program that the Department of Human
24 Services deems appropriate.

25 The Earnfare Program shall contain the following elements:

26 (1) To the extent resources allow and slots exist, the

1 Illinois Department of Human Services shall refer
2 recipients of SNAP benefits ~~food stamp assistance~~ who meet
3 eligibility criteria, as established by rule. Receipt of
4 SNAP benefits ~~food stamps~~ is not an eligibility requirement
5 of Earnfare when a court of competent jurisdiction orders
6 an individual to participate in the Earnfare Program.

7 (2) Persons participating in Earnfare shall engage in
8 employment assigned activities equal to the amount of the
9 SNAP ~~food stamp~~ benefits divided by the State or federal
10 minimum wage, whichever is higher, and subsequently shall
11 earn minimum wage assistance for each additional hour of
12 performance in Earnfare activity. Earnfare participants
13 shall be offered the opportunity to earn up to \$154. The
14 Department of Human Services may establish a higher amount
15 by rule provided resources permit. If a court of competent
16 jurisdiction orders an individual to participate in the
17 Earnfare program, hours engaged in employment assigned
18 activities shall first be applied for a \$50 payment made to
19 the custodial parent as a support obligation. If the
20 individual receives SNAP benefits ~~food stamps~~, the
21 individual shall engage in employment assigned activities
22 equal to the amount of the SNAP ~~food stamp~~ benefits divided
23 by the State or federal minimum wage, whichever is higher,
24 and subsequently shall earn State or federal minimum wage
25 assistance, whichever is higher, for each additional hour
26 of performance in Earnfare activity.

1 (3) To the extent appropriate slots are available, the
2 Illinois Department of Human Services shall assign
3 Earnfare participants to Earnfare activities based on an
4 assessment of the person's age, literacy, education,
5 educational achievement, job training, work experience,
6 and recent institutionalization, whenever these factors
7 are known to the Department of Human Services or to the
8 contractor and are relevant to the individual's success in
9 carrying out the assigned activities and in ultimately
10 obtaining employment.

11 (4) The Department of Human Services shall consider the
12 participant's preferences and personal employment goals in
13 making assignments to the extent administratively possible
14 and to the extent that resources allow.

15 (5) The Department of Human Services may enter into
16 cooperative agreements with local governmental units
17 (which may, in turn, enter into agreements with
18 not-for-profit community based organizations): with other
19 public, including State, agencies; directly with
20 not-for-profit community based organizations, and with
21 private employers to create Earnfare activities for
22 program participants.

23 (6) To the extent resources permit, the Department of
24 Human Services shall provide the Earnfare participants
25 with the costs of transportation in looking for work and in
26 getting to and from the assigned Earnfare job site and

1 initial expenses of employment.

2 (7) All income and asset limitations of the Federal
3 SNAP ~~Food Stamp~~ Program will govern continued Earnfare
4 participation, except that court ordered participants
5 shall participate for 6 months unless the court orders
6 otherwise.

7 (8) Earnfare participants shall not displace or
8 substitute for regular, full time or part time employees,
9 regardless of whether or not the employee is currently
10 working, on a leave of absence or in a position or similar
11 position where a layoff has taken place or the employer has
12 terminated the employment of any regular employee or
13 otherwise reduced its workforce with the effect of filling
14 the vacancy so created with a participant subsidized under
15 this program, or is or has been involved in a labor dispute
16 between a labor organization and the sponsor.

17 (9) Persons who fail to cooperate with the SNAP E&T
18 ~~FSE&T~~ program in counties where available program slots
19 exist for at least the majority of that county's current
20 work registrants shall become ineligible for SNAP benefits
21 ~~food stamp assistance~~ according to SNAP ~~Food Stamp~~
22 regulations, and for Earnfare participation. Failure to
23 participate in Earnfare for all of the hours assigned is
24 not a failure to cooperate unless so established by the
25 employer pursuant to Department of Human Services rules. If
26 a person who is ordered by a court of competent

1 jurisdiction to participate in the Earnfare Program fails
2 to cooperate with the Program, the person shall be referred
3 to the court for failure to comply with the court order.

4 (Source: P.A. 94-533, eff. 8-10-05.)

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.