

HB4539



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB4539

Introduced 1/21/2022, by Rep. David A. Welter

SYNOPSIS AS INTRODUCED:

305 ILCS 5/12-4.56 new

Amends the Illinois Public Aid Code. Requires the Department of Human Services to prohibit a LINK cardholder from using his or her cash assistance benefits to purchase energy drinks. Requires the Department to apply for any federal waivers or approvals, if required, to implement the amendatory Act. Grants the Department rulemaking authority upon receipt of federal approval to implement the prohibition on energy drinks.

LRB102 22821 KTG 31971 b

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 12-4.56 as follows:

6 (305 ILCS 5/12-4.56 new)

7 Sec. 12-4.56. LINK card; prohibited purchases; energy
8 drinks.

9 (a) As used in this Section:

10 "Energy drink" means a beverage containing at least 65
11 milligrams of caffeine per 8 fluid ounces that is advertised
12 as being specifically designed to provide metabolic
13 stimulation or an increase to the consumer's mental or
14 physical energy. The term does not include coffee or any
15 substantially coffee-based beverage.

16 "LINK card" means an electronic benefits transfer card
17 issued by the Department of Human Services for the purpose of
18 enabling a user of the card to obtain SNAP benefits or cash.

19 (b) The Department of Human Services shall prohibit a LINK
20 cardholder from using his or her cash assistance benefits to
21 purchase energy drinks. The Department shall apply for any
22 federal waivers or approvals, if required, to implement this
23 Section. Upon federal approval, the Department may adopt any

1 rules necessary to implement this Section.