

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 12-4.57 as follows:

6 (305 ILCS 5/12-4.57 new)

7 Sec. 12-4.57. Stolen SNAP benefits and AABD cash
8 assistance via card skimming; data collection and reports.

9 (a) Individuals who have had their benefits provided under
10 the federal Supplemental Nutrition Assistance Program (SNAP)
11 or cash under the Aid to the Aged, Blind or Disabled (AABD)
12 program stolen through card skimming, card cloning, or similar
13 fraudulent methods, are at risk of significant food
14 insecurity, hunger, and financial instability. To alleviate
15 this risk, Illinois shall replace the benefits determined to
16 be stolen as provided in subsections (c) through (e).

17 (b) As used in this Section, "electronic benefits transfer
18 card" or "EBT card" means the card issued by the Department of
19 Human Services for the purpose of enabling a user of the card
20 to obtain federal Supplemental Nutrition Assistance Program
21 benefits or cash assistance provided under Article III of this
22 Code.

23 (c) Subject to appropriation, the Department of Human

1 Services shall replace SNAP benefits that were stolen from a
2 recipient's EBT card by means of card skimming, card cloning,
3 or some other similar fraudulent method during the period
4 January 1, 2022 through September 30, 2022 using State funds
5 and by procedures that align with those set forth in the State
6 Plan submitted to the U.S. Department of Agriculture's Food
7 and Nutrition Service in accordance with the Consolidated
8 Appropriations Act of 2023, Public Law 117-328.

9 (d) The Department of Human Services shall replace SNAP
10 benefits that were stolen from a recipient's EBT card by means
11 of card skimming, card cloning, or some other similar
12 fraudulent method during the period October 1, 2022 through
13 September 30, 2024 under the State Plan submitted to and
14 approved by the U.S. Department of Agriculture's Food and
15 Nutrition Service in accordance with the Consolidated
16 Appropriations Act of 2023, Public Law 117-328.

17 (e) Subject to appropriation, the Department of Human
18 Services shall replace cash assistance provided under Article
19 III of this Code that was stolen from a recipient's EBT card by
20 means of card skimming, card cloning, or some other similar
21 fraudulent method during the period January 1, 2022 through
22 September 30, 2024. The Department may adopt any rules
23 necessary to implement this provision, including rules on how
24 to accept and substantiate recipient claims for stolen
25 benefits. Where possible, the rules for accepting and
26 substantiating claims shall be consistent with the State Plan

1 for SNAP replacement described in subsection (d) and submitted
2 in accordance with the Consolidated Appropriations Act of
3 2023, Public Law 117-328.

4 (f) As the State administrator of benefits provided under
5 the federally funded Supplemental Nutrition Assistance
6 Program, the Department of Human Services shall track and
7 collect data on the scope and frequency of SNAP benefits fraud
8 in this State where a SNAP recipient's benefits are stolen
9 from the recipient's electronic benefits transfer card by
10 means of card skimming, card cloning, or some other similar
11 fraudulent method. The Department shall specifically keep a
12 record of every report made to the Department by a SNAP
13 recipient alleging the theft of benefits due to no fault of the
14 recipient, the benefit amount stolen, and, if practicable, how
15 those stolen benefits were used and the location of those
16 thefts.

17 (g) The Department shall report its findings to the
18 General Assembly on an annual basis beginning on January 1,
19 2024. The Department shall file an annual report no later than
20 the 60th day of the following year following each reporting
21 period. A SNAP recipient's personally identifiable information
22 shall be excluded from the reports consistent with State and
23 federal privacy protections. Each annual report shall also be
24 posted on the Department's official website.

25 (h) If the Department determines that a SNAP recipient has
26 made a substantiated report of stolen benefits due to card

1 skimming, card cloning, or some other similar fraudulent
2 method, the Department shall refer the matter to the State's
3 Attorney who has jurisdiction over the alleged theft or fraud
4 and shall provide any assistance to that State's Attorney in
5 the prosecution of the alleged theft or fraud.