

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 1-10 as follows:

6 (305 ILCS 5/1-10)

7 Sec. 1-10. Drug convictions.

8 (a) Persons convicted of an offense under the Illinois
9 Controlled Substances Act, the Cannabis Control Act, or the
10 Methamphetamine Control and Community Protection Act which is a
11 Class X felony, or a Class 1 felony, or comparable federal
12 criminal law which has as an element the possession, use, or
13 distribution of a controlled substance, as defined in Section
14 102(6) of the federal Controlled Substances Act (21 U.S.C.
15 802(c)), shall not be eligible for cash assistance provided
16 under this Code.

17 (b) Persons convicted of any other felony under the
18 Illinois Controlled Substances Act, the Cannabis Control Act,
19 or the Methamphetamine Control and Community Protection Act
20 which is not a Class X or Class 1 felony, or comparable federal
21 criminal law which has as an element the possession, use, or
22 distribution of a controlled substance, as defined in Section
23 102(6) of the federal Controlled Substances Act (21 U.S.C.

1 802(c)), shall not be eligible for cash assistance provided
2 under this Code for 2 years from the date of conviction. This
3 prohibition shall not apply if the person is in a drug
4 treatment program, aftercare program, or similar program as
5 defined by rule.

6 (c) Persons shall not be determined ineligible for food
7 stamps provided under this Code based upon a conviction of any
8 felony or comparable federal or State criminal law which has an
9 element the possession, use or distribution of a controlled
10 substance, as defined in Section 102(6) of the federal
11 Controlled Substance Act (21 U.S.C. 802(c)).

12 (d) Notwithstanding any other provision of this Section to
13 the contrary, persons shall not be determined ineligible for
14 cash assistance provided under Article IV of this Code based
15 upon a conviction for any drug-related felony under State or
16 federal law.

17 (Source: P.A. 94-556, eff. 9-11-05.)