



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB5477

by Rep. 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 positive for substance abuse and agrees to participate in and complete a substance abuse treatment plan and meets all other eligibility requirements, the applicant shall remain eligible to receive benefits. Provides that failure to comply with a substance abuse assessment or treatment plan shall result in the applicant becoming ineligible for benefits. 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.

LRB098 18855 KTG 54001 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 98th 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, unless the applicant agrees to participate in and
20 complete a substance abuse treatment plan and meets all other
21 eligibility requirements, in which case the applicant shall
22 remain eligible to receive benefits. Failure to comply with a
23 substance abuse assessment or treatment plan shall result in

1 the applicant becoming ineligible for benefits under this
2 Article.

3 (c) If an applicant refuses to submit to substance abuse
4 testing, the applicant shall be ineligible to receive benefits
5 under this Article.

6 (d) If an applicant tests negative for substance abuse and
7 meets all the other eligibility requirements for benefits under
8 this Article, the cost of administering the substance abuse
9 test to the applicant shall be deducted from the applicant's
10 first benefits payment.