

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 Sections 4-12 and 4-22 as follows:

6 (305 ILCS 5/4-12) (from Ch. 23, par. 4-12)

7 Sec. 4-12. Crisis assistance. Where a family has been (1)
8 rendered homeless or threatened with homelessness by fire,
9 flood, other natural disaster, eviction or court order to
10 vacate the premises for reasons other than nonpayment of rent,
11 or where a family has become homeless because they have left
12 their residence due to domestic or sexual violence; (1.5)
13 deprived of the household's income as a result of domestic or
14 sexual violence; (2) deprived of essential items of furniture
15 or essential clothing by fire or flood or other natural
16 disaster; (3) deprived of food as a result of actions other
17 than loss or theft of cash and where the deprivation cannot be
18 promptly alleviated through the federal food stamp program;
19 (4) as a result of a documented theft or documented loss of
20 cash, deprived of food or essential clothing or deprived of
21 shelter or immediately threatened with deprivation of shelter
22 as evidenced by a court order requiring immediate eviction due
23 to nonpayment of rent; or (5) rendered the victim of such other

1 hardships as the Illinois Department shall by rule define, the
2 Illinois Department may provide assistance to alleviate such
3 needs. The Illinois Department shall verify need and determine
4 eligibility for crisis assistance for families already
5 receiving grants from the Illinois Department within 5 working
6 days following application for such assistance and shall
7 determine eligibility for all other families and afford such
8 assistance for families found eligible within such time limits
9 as the Illinois Department shall by rule provide. ~~The Illinois~~
10 ~~Department may, by rule, limit crisis assistance to an~~
11 ~~eligible family to once in any 12 consecutive months. This~~
12 ~~limitation may be made for some or all items of crisis~~
13 ~~assistance.~~

14 The Illinois Department by regulation shall specify the
15 criteria for determining eligibility and the amount and nature
16 of assistance to be provided. Where deprivation of shelter
17 exists or is threatened, the Illinois Department must inform
18 the family of crisis assistance funding, when available. Upon
19 the availability of funds, the Department shall provide no
20 less than \$1,250 to eligible families for up to 4 months. ~~may~~
21 ~~provide reasonable moving expenses, short term rental costs,~~
22 ~~including one month's rent and a security deposit where such~~
23 ~~expenses are needed for relocation, and, where the Department~~
24 ~~determines appropriate, provide assistance to prevent an~~
25 ~~imminent eviction or foreclosure. These amounts may be~~
26 ~~described in established amounts or maximums. The Illinois~~

~~Department may also describe, for each form of assistance authorized, the method by which the assistance shall be delivered, including but not limited to warrants or disbursing orders.~~

Annual expenditures under this Section shall not exceed \$2,000,000. The Illinois Department shall review such expenditures quarterly and shall, if necessary, reduce the amounts or nature of assistance authorized in order to assure that the limit is not exceeded.

This Section shall be subject to the civil remedies outlined in Section 8A-7.

(Source: P.A. 96-866, eff. 7-1-10.)

(305 ILCS 5/4-22)

Sec. 4-22. Domestic and sexual violence.

(a) Findings and policy. The General Assembly finds that it is the policy of the State of Illinois that:

(1) no individual or family should be forced to remain in a violent living situation or place themselves or others at risk in order to attain or retain TANF assistance; and

(2) no individual or family should be unfairly penalized because past or present domestic or sexual violence or the risk of domestic or sexual violence causes them to fail to comply with TANF program requirements for assistance.

~~The assessment process to develop the personal plan for achieving self sufficiency shall include questions that screen for domestic and sexual violence issues. If the individual indicates that he or she is the victim of domestic or sexual violence and indicates a need to address domestic or sexual violence issues in order to reach self sufficiency, the plan shall take this factor into account in determining the work, education, and training activities suitable to the client for achieving self sufficiency. In addition, in such a case, specific steps needed to directly address the domestic or sexual violence issues may also be made part of the plan, including referral to an available domestic or sexual violence program. The Department shall conduct an individualized assessment and grant waivers of program requirements and other required activities for victims of domestic violence to the fullest extent allowed by 42 U.S.C. 602(a)(7)(A), and shall apply the same laws, regulations, and policies to victims of sexual violence. The duration of such waivers shall be initially determined and subsequently redetermined on a case-by-case basis. There shall be no limitation on the total number of months for which waivers under this Section may be granted, but continuing eligibility for a waiver shall be redetermined no less often than every 6 months.~~

(a-5) Definitions. As used in this Section:

"Domestic violence" has the meaning ascribed to it in Section 103 of the Illinois Domestic Violence Act of 1986.

1 "Sexual assault" or "sexual violence" means any conduct of
2 an adult or minor child proscribed in Article 11 of the
3 Criminal Code of 2012, except for Sections 11-35, 11-40, and
4 11-45 of the Criminal Code of 2012, including conduct
5 committed by a perpetrator who is a stranger to the victim and
6 conduct by a perpetrator who is known or related by blood or
7 marriage to the victim.

8 (b) In recognition of the reality of domestic or sexual
9 violence for many individuals and families who may need
10 assistance, when making determinations as to an individual's
11 compliance with TANF program requirements, the Department of
12 Human Services shall implement the federal Family Violence
13 Option created under Section 402 of the Personal
14 Responsibility and Work Opportunity Reconciliation Act of
15 1996, (P.L. 104-193), and as set forth in 42 U.S.C. 602(a)(7),
16 including any implementing federal regulations at Part 260,
17 Subtitle B, Chapter II, Title 45 of the Code of Federal
18 Regulations.

19 (c) In accordance with subsection (b) and Section
20 402(a)(8) of the Social Security Act as amended by the federal
21 Consolidated Appropriations Act, 2022 (P.L. 117-103), the
22 Department shall:

23 (1) evaluate its policy of identifying individuals who
24 are victims of domestic or sexual violence;

25 (2) provide universal notification of the good cause
26 waiver at the time of an individual's initial TANF

1 application;

2 (3) refer individuals who are victims of domestic or
3 sexual violence to counseling, shelter, or other
4 appropriate services; and

5 (4) automatically waive TANF program requirements,
6 including, but not limited to, child support cooperation,
7 work requirements, and time limits for individuals who are
8 victims of domestic or sexual violence.

9 (d) Individuals who are victims of domestic or sexual
10 violence may provide documentation or third-party
11 verification, if possible, as evidence of the domestic or
12 sexual violence. If an individual is unable to obtain
13 documentation or third-party verification, then
14 self-attestation shall suffice to establish eligibility for a
15 good cause waiver based upon domestic or sexual violence. The
16 following shall establish eligibility for a good cause waiver:

17 (1) Documentation, including law enforcement records,
18 court records, medical or treatment records, social
19 service records, and child protective service records.

20 (2) Third-party verification of domestic or sexual
21 violence from any entity or individual who has knowledge
22 of the circumstances which serve as the basis for the good
23 cause waiver, including, but not limited to:

24 (A) a domestic violence or sexual violence service
25 provider;

26 (B) a clergy member or religious leader;

1 (C) a medical, psychological, or social service
2 provider;

3 (D) a law enforcement professional;

4 (E) a legal representative; or

5 (F) an acquaintance, friend, relative, or neighbor
6 of the claimant, or any other individual.

7 (3) Self-attestation. If an individual is unable to
8 obtain any of the items of evidence or documentation
9 described in paragraphs (1) and (2), then the individual
10 may self-affirm that he or she cannot safely comply with a
11 TANF program requirement due to domestic or sexual
12 violence.

13 (e) The Department shall create a Family Safety Notice
14 form that:

15 (1) describes domestic and sexual violence;

16 (2) list the waivers available for TANF recipients who
17 are victims of domestic or sexual violence;

18 (3) describes the Department's procedure and appeal
19 process when making a determination as to an individual's
20 eligibility for a good cause waiver;

21 (4) lists the contact information of an available
22 statewide domestic and sexual violence organization; and

23 (5) provides a verification form that:

24 (A) defines a good cause waiver claim;

25 (B) lists acceptable documentation to support a
26 claim of domestic or sexual violence as described in

1 paragraph (1) of subsection (d);

2 (C) describes the entities and individuals
3 permitted to provide third-party verification of
4 domestic or sexual violence as provided in paragraph
5 (2) of subsection (d);

6 (D) explains that the if an individual is unable
7 to obtain any of the documentation or third-party
8 verification described in paragraphs (1) and (2) of
9 subsection (d), the individual may self-affirm that he
10 or she cannot safely comply with a TANF program
11 requirement due to domestic or sexual violence.

12 The Department shall not require an individual applying
13 for or receiving TANF benefits to obtain an order of
14 protection or to leave the alleged abuser in order to obtain a
15 good cause waiver.

16 A good cause waiver determination based on domestic or
17 sexual violence shall be made within 15 calendar days from the
18 date the claim was initiated by the individual.

19 (f) ~~(b)~~ The Illinois Department shall develop and monitor
20 compliance procedures for its employees, contractors, and
21 subcontractors to ensure that any information pertaining to
22 any client who claims to be a past or present victim of
23 domestic violence or an individual at risk of further domestic
24 violence, whether provided by the victim or by a third party,
25 will remain confidential.

26 (g) ~~(e)~~ The Illinois Department shall develop and

1 implement a domestic violence training curriculum for Illinois
2 Department employees who serve applicants for and recipients
3 of aid under this Article. The curriculum shall be designed to
4 better equip those employees to identify and serve domestic
5 violence victims. The Illinois Department may enter into a
6 contract for the development of the curriculum with one or
7 more organizations providing services to domestic violence
8 victims. The Illinois Department shall adopt rules necessary
9 to implement this subsection.

10 (h) The Department shall adopt rules necessary to
11 implement the amendatory changes made to this Section by this
12 amendatory Act of the 104th General Assembly.

13 (i) The Department shall report data on the State's TANF
14 caseload, the number of individuals applying for a good cause
15 waiver, and the number of waivers granted. The Department
16 shall provide the number of individuals eligible and applying
17 for crisis assistance funding under this Section as part of
18 its annual report to the General Assembly. The report shall
19 exclude any personally identifiable information.

20 (j) This Section shall be subject to the civil remedies
21 outlined in Section 8A-7.

22 (Source: P.A. 96-866, eff. 7-1-10.)