



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB1561

Introduced 2/4/2025, by Sen. Laura Fine

SYNOPSIS AS INTRODUCED:

See Index

Provides that the Act may be referred to as the Cash Assistance to Strengthen Households (CASH) Act. Amends the Temporary Assistance for Needy Families Article of the Illinois Public Aid Code. Provides that the Temporary Assistance for Needy Families (TANF) Program is inoperative after June 30, 2026 and is replaced by the Cash Assistance to Strengthen Households (CASH) program. Contains provisions concerning persons eligible for CASH assistance, including pregnant persons without dependent children and assistance units headed by a caretaker relative, as defined; income thresholds; immigration status; the amount of aid paid to eligible assistance units; application requirements; income verification requirements; eligibility redeterminations; substitute payees; transitioning assistance units from TANF to CASH; and Department rules to implement the CASH program. Makes conforming changes in other Articles of the Code. Effective July 1, 2026.

LRB104 10135 KTG 20207 b

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 1. Reference to Act. This Act may be referred to as
5 the Cash Assistance to Strengthen Households (CASH) Act.

6 Section 5. Findings and declaration of policy. The General
7 Assembly finds, determines, and declares the following:

8 (1) All people deserve to live with dignity and have
9 their basic needs met.

10 (2) Elimination of deep poverty in the State of
11 Illinois is attainable and long overdue. However, deep
12 poverty is rising in Illinois. According to the Department
13 of Human Services over 763,000 people including over
14 218,000 children in Illinois now live in deep poverty and
15 have few resources to meet their basic needs.

16 (3) The Illinois Commission on Poverty Elimination and
17 Economic Security, created by the Intergenerational
18 Poverty Act of 2020, was tasked with the development of a
19 strategic plan to meet the statutorily outlined goals of
20 reducing deep poverty in Illinois by 50% by 2026,
21 eliminating child poverty by 2031, and eliminating all
22 poverty in Illinois by 2036. According to the Commission,
23 a key component of meeting these goals is increasing

1 uptake, access, and the value of public benefits programs
2 while investing in direct cash assistance structures.

3 (4) Cash assistance programs, particularly the
4 Temporary Assistance for Needy Families (TANF) program,
5 reach far fewer families and provide less cash assistance
6 than predecessor programs existing before "welfare reform"
7 in 1996, leaving more families in deep poverty. Due to
8 cumbersome federal restrictions, where cash assistance is
9 available, it is often accompanied by onerous processes
10 and strict requirements that make it difficult for
11 families to obtain and maintain benefits.

12 (5) To better serve Illinois families struggling to
13 meet their basic needs, the General Assembly rejects the
14 false thesis of federal "welfare reform": that income
15 supports foster dependence, disincentivize work, and trap
16 families in a cycle of poverty. Nearly 3 decades of data
17 and research related to the TANF program, coupled with
18 emerging research studying the effects of unrestricted
19 cash transfers like guaranteed income, have shown that
20 cash assistance, when designed with broader access, more
21 generous grants, and fewer restrictions, is an effective
22 tool for reducing family and child poverty and improving
23 family well-being. Emerging research examining the growing
24 number of direct cash transfer experiments shows
25 compelling evidence that unrestricted cash assistance can
26 improve a multitude of outcomes including employment,

1 physical and mental health, nutrition, and justice
2 involvement.

3 (6) The State of Illinois is committed to exploring
4 innovative and effective ways to address poverty while
5 upholding the values of equity and justice. The General
6 Assembly recognizes and prioritizes the benefits of
7 dramatically reducing restrictions related to social
8 safety-net programs, which currently function to frustrate
9 access for eligible families with significant need. The
10 General Assembly finds that greater access to and fewer
11 restrictions on the receipt of cash assistance is
12 necessary to promote economic stability, enhance the
13 quality of life and general welfare for all its residents,
14 and meaningfully progress toward the General Assembly's
15 goals as set forth in the Intergenerational Poverty Act of
16 2020.

17 Section 10. The Illinois Public Aid Code is amended by
18 changing the heading of Article IV and Sections 1-7, 1-11,
19 4-1, 4-1.1, 4-1.2, 4-1.2a, 4-1.6, 4-1.6b, 4-2, 4-4, 4-9, 4-12,
20 4-22, 4-23, 6-1.3, 8A-18, 9A-3, 9A-4, 9A-8, 9A-8.1, 9A-9,
21 9A-10, 9A-11, 9A-13, 9A-15, 10-1, 10-2, 10-3, 10-4, 10-7,
22 10-8, 10-10, 10-11.1, 10-15, 11-6, 11-17, 11-18, 11-19,
23 11-20.1, 11-22c, 11-32, 12-4.4, 12-4.11, 12-4.14, 12-4.33,
24 12-4.104, 12-13.05, 12-13.4, 16-1, 16-2, 16-3, 16-4, and 16-5
25 and by adding Sections 4-0.5.1, 4-0.6.1, 4-1.6c, 4-1.13,

1 4-2.1, 4-2.2, 4-2.3, 4-24, and 4-25 as follows:

2 (305 ILCS 5/1-7) (from Ch. 23, par. 1-7)

3 Sec. 1-7. (a) For purposes of determining eligibility for
4 assistance under this Code, the Illinois Department, County
5 Departments, and local governmental units shall exclude from
6 consideration restitution payments, including all income and
7 resources derived therefrom, made to persons of Japanese or
8 Aleutian ancestry pursuant to the federal Civil Liberties Act
9 of 1988 and the Aleutian and Pribilof Island Restitution Act,
10 P.L. 100-383.

11 (b) For purposes of any program or form of assistance
12 where a person's income or assets are considered in
13 determining eligibility or level of assistance, whether under
14 this Code or another authority, neither the State of Illinois
15 nor any entity or person administering a program wholly or
16 partially financed by the State of Illinois or any of its
17 political subdivisions shall include restitution payments,
18 including all income and resources derived therefrom, made
19 pursuant to the federal Civil Liberties Act of 1988 and the
20 Aleutian and Pribilof Island Restitution Act, P.L. 100-383, in
21 the calculation of income or assets for determining
22 eligibility or level of assistance.

23 (c) For purposes of determining eligibility for or the
24 amount of assistance under this Code, except for the
25 determination of eligibility for ~~payments or programs under~~

1 ~~the TANF employment, education, and training programs and the~~
2 Food Stamp Employment and Training Program, the Illinois
3 Department, County Departments, and local governmental units
4 shall exclude from consideration any financial assistance
5 received under any student aid program administered by an
6 agency of this State or the federal government, by a person who
7 is enrolled as a full-time or part-time student of any public
8 or private university, college, or community college in this
9 State.

10 (d) For purposes of determining eligibility for or the
11 amount of assistance under this Code, except for the
12 determination of eligibility for ~~payments or programs under~~
13 ~~the TANF employment, education, and training programs and the~~
14 SNAP Employment and Training Program, the Illinois Department,
15 County Departments, and local governmental units shall exclude
16 from consideration, for a period of 36 months, any financial
17 assistance, including wages, that is provided to a person who
18 is enrolled in a demonstration project that is not funded with
19 general revenue funds and that is intended as a bridge to
20 self-sufficiency by offering (i) intensive workforce support
21 and training and (ii) support services for new and expectant
22 parents that are intended to foster multi-generational healthy
23 families as described in Section 12-4.51.

24 (e) (1) Notwithstanding any other provision of this Code,
25 and to the maximum extent permitted by federal law, for
26 purposes of determining eligibility and the amount of

1 assistance under this Code, the Illinois Department and local
2 governmental units shall exclude from consideration any
3 financial assistance, including cash transfers or gifts, that
4 is provided to a person through a guaranteed income program.
5 As used in this subsection, "guaranteed income program" means
6 a publicly or privately funded program that provides one-time
7 or recurring unconditional cash transfers or payments, or
8 gifts to individuals or households, for a defined number of
9 months or years for the purposes of reducing poverty,
10 promoting economic mobility, or increasing the financial
11 stability of Illinois residents.

12 (2) Notwithstanding any other provision of this Code, and
13 to the maximum extent permitted by federal law, for purposes
14 of determining eligibility and the amount of assistance under
15 this Code, the Illinois Department and local governmental
16 units shall exclude from consideration cash assistance under
17 Article IV of this Code.

18 (3) ~~(2)~~ The Department shall choose State options and seek
19 all necessary federal approvals or waivers to implement this
20 subsection.

21 (Source: P.A. 103-492, eff. 1-1-24.)

22 (305 ILCS 5/1-11)

23 Sec. 1-11. Citizenship. To the extent not otherwise
24 provided in this Code or federal law, all clients who receive
25 cash or medical assistance under Article III, ~~IV~~, V, or VI of

1 this Code must meet the citizenship requirements as
2 established in this Section. To be eligible for assistance an
3 individual, who is otherwise eligible, must be either a United
4 States citizen or included in one of the following categories
5 of non-citizens:

6 (1) United States veterans honorably discharged and
7 persons on active military duty, and the spouse and
8 unmarried dependent children of these persons;

9 (2) Refugees under Section 207 of the Immigration and
10 Nationality Act;

11 (3) Asylees under Section 208 of the Immigration and
12 Nationality Act;

13 (4) Persons for whom deportation has been withheld
14 under Section 243(h) of the Immigration and Nationality
15 Act;

16 (5) Persons granted conditional entry under Section
17 203(a)(7) of the Immigration and Nationality Act as in
18 effect prior to April 1, 1980;

19 (6) Persons lawfully admitted for permanent residence
20 under the Immigration and Nationality Act;

21 (7) Parolees, for at least one year, under Section
22 212(d)(5) of the Immigration and Nationality Act;

23 (8) Nationals of Cuba or Haiti admitted on or after
24 April 21, 1980;

25 (9) Amerasians from Vietnam, and their close family
26 members, admitted through the Orderly Departure Program

1 beginning on March 20, 1988;

2 (10) Persons identified by the federal Office of
3 Refugee Resettlement (ORR) as victims of trafficking;

4 (11) Persons legally residing in the United States who
5 were members of a Hmong or Highland Laotian tribe when the
6 tribe helped United States personnel by taking part in a
7 military or rescue operation during the Vietnam era
8 (between August 5, 1965 and May 7, 1975); this also
9 includes the person's spouse, a widow or widower who has
10 not remarried, and unmarried dependent children;

11 (12) American Indians born in Canada under Section 289
12 of the Immigration and Nationality Act and members of an
13 Indian tribe as defined in Section 4e of the Indian
14 Self-Determination and Education Assistance Act;

15 (13) Persons who are a spouse, widow, or child of a
16 U.S. citizen or a spouse or child of a legal permanent
17 resident (LPR) who have been battered or subjected to
18 extreme cruelty by the U.S. citizen or LPR or a member of
19 that relative's family who lived with them, who no longer
20 live with the abuser or plan to live separately within one
21 month of receipt of assistance and whose need for
22 assistance is due, at least in part, to the abuse; and

23 (14) Persons who are foreign-born victims of
24 trafficking, torture, or other serious crimes as defined
25 in Section 2-19 of this Code.

26 Those persons who are in the categories set forth in

1 subdivisions 6 and 7 of this Section, who enter the United
2 States on or after August 22, 1996, shall not be eligible for 5
3 years beginning on the date the person entered the United
4 States.

5 The Illinois Department may, by rule, cover prenatal care
6 or emergency medical care for non-citizens who are not
7 otherwise eligible under this Section. Local governmental
8 units which do not receive State funds may impose their own
9 citizenship requirements and are authorized to provide any
10 benefits and impose any citizenship requirements as are
11 allowed under the Personal Responsibility and Work Opportunity
12 Reconciliation Act of 1996 (P.L. 104-193).

13 (Source: P.A. 99-870, eff. 8-22-16.)

14 (305 ILCS 5/Art. IV heading)

15 ARTICLE IV. CASH ASSISTANCE TO STRENGTHEN HOUSEHOLDS ~~TEMPORARY~~
16 ~~ASSISTANCE FOR NEEDY FAMILIES~~

17 (305 ILCS 5/4-0.5.1 new)

18 Sec. 4-0.5.1. Temporary Assistance for Needy Families
19 Program inoperative. The Temporary Assistance for Needy
20 Families (TANF) Program is inoperative after June 30, 2026.

21 (305 ILCS 5/4-0.6.1 new)

22 Sec. 4-0.6.1. Reference to TANF considered a reference to
23 CASH. On and after the effective date of this amendatory Act of

1 the 104th General Assembly, any reference in any law to
2 Temporary Assistance for Needy Families or TANF, except for
3 references to TANF included in this Article, shall be
4 considered to be a reference to the Cash Assistance to
5 Strengthen Households program (CASH).

6 (305 ILCS 5/4-1) (from Ch. 23, par. 4-1)

7 Sec. 4-1. Eligibility requirements. Cash assistance
8 ~~Financial aid~~ in meeting basic maintenance requirements for a
9 livelihood compatible with health and well-being shall be
10 given under this Article to or in behalf of families with
11 dependent children who have established residence in Illinois
12 as defined in Section 2-10, and meet the eligibility
13 conditions of Sections 4-1.1 through 4-1.13 ~~4-1.12~~. It shall
14 be the policy of the Illinois Department to provide cash
15 assistance ~~aid~~ under this Article to all qualified persons who
16 seek assistance and to conduct outreach efforts to educate the
17 public about the program. The Department shall provide timely,
18 accurate, and fair service to all applicants for assistance.
19 Persons who meet the eligibility criteria authorized under
20 this Article shall be treated equally, provided that nothing
21 in this Article shall be construed to create an entitlement to
22 a particular grant or service level or to aid in amounts not
23 authorized under this Code, nor construed to limit the
24 authority of the General Assembly to change the eligibility
25 requirements or provisions respecting assistance amounts. The

1 General Assembly recognizes that the need for aid will
2 fluctuate with the economic situation in Illinois and that at
3 times the number of people receiving aid under this Article
4 will increase.

5 ~~The Illinois Department shall advise every applicant for
6 and recipient of aid under this Article of (i) the requirement
7 that all recipients move toward self-sufficiency and (ii) the
8 value and benefits of employment. As a condition of
9 eligibility for that aid, every person who applies for aid
10 under this Article on or after the effective date of this
11 amendatory Act of 1995 shall prepare and submit, as part of the
12 application or subsequent redetermination, a personal plan for
13 achieving employment and self-sufficiency. The plan shall
14 incorporate the individualized assessment and employability
15 plan set out in subsections (d), (f), and (g) of Section 9A-8.
16 The plan may be amended as the recipient's needs change. The
17 assessment process to develop the plan shall include questions
18 that screen for domestic violence issues and steps needed to
19 address these issues may be part of the plan. If the individual
20 indicates that he or she is a victim of domestic violence, he
21 or she may also be referred to an available domestic violence
22 program. Failure of the client to follow through on the
23 personal plan for employment and self-sufficiency may be a
24 basis for sanction under Section 4-21.~~

25 (Source: P.A. 96-866, eff. 7-1-10; 97-813, eff. 7-13-12.)

1 (305 ILCS 5/4-1.1) (from Ch. 23, par. 4-1.1)

2 Sec. 4-1.1. Child age eligibility.

3 (a) Every assistance unit must include a child, except as
4 provided in subsection (b) ~~subsections (b) and (c)~~. The child
5 or children must have already been born and be under age 18,
6 or, if age 18, must be a full-time student in a secondary
7 school or the equivalent level of vocational or technical
8 training.

9 (b) Cash assistance ~~Grants~~ shall be provided for
10 assistance units including ~~consisting exclusively of a~~
11 pregnant person ~~woman~~ with no dependent child, ~~and may include~~
12 ~~her husband if living with her, if the pregnancy has been~~
13 ~~determined by medical diagnosis.~~

14 (c) (Blank). ~~Grants may be provided for assistance units~~
15 ~~consisting of only adults if all the children living with~~
16 ~~those adults are children with disabilities and receive~~
17 ~~Supplemental Security Income.~~

18 (Source: P.A. 99-143, eff. 7-27-15.)

19 (305 ILCS 5/4-1.2) (from Ch. 23, par. 4-1.2)

20 Sec. 4-1.2. Living Arrangements - Parents - Relatives -
21 Foster Care.

22 (a) The child or children must live with a caretaker
23 relative as set forth in subsection (b) unless the child or
24 children have been:

25 (1) (A) removed from the home of the parents or other

1 relatives by court order under the Juvenile Court Act or
2 the Juvenile Court Act of 1987, (B) placed under the
3 guardianship of the Department of Children and Family
4 Services, and (C) under such guardianship, placed in a
5 foster family home, group home, or child care institution
6 licensed pursuant to the Child Care Act of 1969 or
7 approved by that Department as meeting standards
8 established for licensing under that Act; or

9 (2) relinquished in accordance with the Abandoned
10 Newborn Infant Protection Act.

11 (b) A caretaker relative is the specified relative with
12 whom the child is living. Specified relatives are the
13 following blood and adoptive relatives:

14 (1) First Degree of Relationship:

15 (A) father; or

16 (B) mother.

17 (2) Second Degree of Relationship:

18 (A) brother;

19 (B) sister;

20 (C) grandmother; or

21 (D) grandfather.

22 (3) Third Degree of Relationship:

23 (A) great-grandfather;

24 (B) great-grandmother;

25 (C) uncle;

26 (D) aunt;

1 (E) nephew; or

2 (F) niece.

3 (4) Fourth Degree of Relationship:

4 (A) great-great-grandfather;

5 (B) great-great-grandmother;

6 (C) great-uncle;

7 (D) great-aunt;

8 (E) first cousin;

9 (F) great-nephew; or

10 (G) great-niece.

11 (5) Fifth Degree of Relationship:

12 (A) great-great-great-grandfather;

13 (B) great-great-great-grandmother;

14 (C) great-great-uncle;

15 (D) great-great-aunt;

16 (E) first cousin once removed;

17 (F) second cousin;

18 (H) great-great niece; or

19 (I) great-great nephew.

20 (6) Step-Relatives

21 (A) step-father;

22 (B) step-mother;

23 (C) step-brother; or

24 (D) step-sister.

25 (c) Notwithstanding the exceptions set forth in paragraphs

26 (1) and (2) of subsection (a), every assistance unit shall

1 have one specified relative of the child or children
2 designated as the caretaker relative. The caretaker relative
3 does not have to meet a minimum or a maximum age requirement.
4 If the caretaker relative is included in the assistance unit,
5 this person shall be considered an adult. For pregnant persons
6 eligible for cash assistance under subsection (b) of Section
7 4-1.1, the pregnant person shall be designated as the
8 caretaker relative. When a child lives with a parent, that
9 parent shall be designated as the caretaker relative except as
10 follows:

11 (1) another relative in the home shall be the
12 caretaker relative if the Department of Children and
13 Family Services has placed the child with the relative; or

14 (2) another relative in the home has assumed
15 responsibility for the child due to the parent's inability
16 to adequately care for the child.

17 (d) Assistance unit.

18 (1) For purposes of assessing income eligibility for
19 CASH under Section 4-1.6 and the amount of cash assistance
20 under Section 4-2, the following people, if living
21 together, must be included in the same assistance unit:

22 (i) A child, as set forth in subsection (a) of
23 Section 4-1.1, and his or her blood or adoptive
24 siblings who are children as set forth in subsection
25 (a) of Section 4-1.1,

26 (ii) The blood or adoptive mother of the child or

1 children and the spouse of the blood or adoptive
2 mother, and

3 (iii) The blood or adoptive father of the children
4 and the spouse of the blood or adoptive father.

5 (1a) The assistance unit may include a specified
6 relative who is neither the blood or adoptive father nor
7 mother of the children or children in the assistance unit
8 but has been designated as the caretaker relative for the
9 assistance unit. The assistance unit may also include the
10 spouse of the caretaker relative.

11 (2) If eligibility for CASH is based on the assistance
12 unit including a pregnant person under subsection (b) of
13 Section 4-1.1, and the assistance unit does not contain a
14 child, as set forth in subsection (a) of Section 4-1.1,
15 the assistance unit must include both the pregnant person
16 and, if the pregnant person is married, pregnant person's
17 spouse if living together.

18 (2a) If the pregnant person is a child, as set forth in
19 Section 4-1.1(a), the assistance unit may include:

20 (i) The blood or adoptive mother of the pregnant
21 child, and the spouse of the blood or adoptive mother.

22 (ii) The blood or adoptive father of the pregnant
23 child, and the spouse of the blood or adoptive father.

24 (iii) A specified relative serving as the
25 caretaker relative for the pregnant child, and the
26 spouse of the caretaker relative.

1 (3) One person may be the caretaker relative for 2
2 separate assistance units under this Section if:

3 (i) the person, his or her child or children,
4 siblings and the child or children's other parent
5 shall receive CASH in one assistance unit; and

6 (ii) a separate assistance unit shall be
7 established when the person is also caretaker relative
8 for other related children (for whom the person is not
9 a parent). The second assistance unit must also
10 contain an eligible parent or parents and siblings of
11 the child or children in the unit.

12 (e) When a specified relative is no longer available to
13 act as a caretaker relative for children already receiving
14 CASH, another person whom the children are living with may
15 serve as a temporary caretaker for the remainder of the
16 certification period as set forth in Section 4-2.2. The
17 temporary caretaker shall not be included in the assistance
18 unit.

19 ~~(a) The child or children must (1) be living with his or~~
20 ~~their father, mother, grandfather, grandmother, brother,~~
21 ~~sister, stepfather, stepmother, stepbrother, stepsister, uncle~~
22 ~~or aunt, or other relative approved by the Illinois~~
23 ~~Department, in a place of residence maintained by one or more~~
24 ~~of such relatives as his or their own home, or (2) have been~~
25 ~~(a) removed from the home of the parents or other relatives by~~
26 ~~judicial order under the Juvenile Court Act or the Juvenile~~

1 ~~Court Act of 1987, as amended, (b) placed under the~~
2 ~~guardianship of the Department of Children and Family~~
3 ~~Services, and (c) under such guardianship, placed in a foster~~
4 ~~family home, group home or child care institution licensed~~
5 ~~pursuant to the "Child Care Act of 1969", approved May 15,~~
6 ~~1969, as amended, or approved by that Department as meeting~~
7 ~~standards established for licensing under that Act, or (3)~~
8 ~~have been relinquished in accordance with the Abandoned~~
9 ~~Newborn Infant Protection Act. A child so placed in foster~~
10 ~~care who was not receiving aid under this Article in or for the~~
11 ~~month in which the court proceedings leading to that placement~~
12 ~~were initiated may qualify only if he lived in the home of his~~
13 ~~parents or other relatives at the time the proceedings were~~
14 ~~initiated, or within 6 months prior to the month of~~
15 ~~initiation, and would have received aid in and for that month~~
16 ~~if application had been made therefor.~~

17 ~~(b) The Illinois Department may, by rule, establish those~~
18 ~~persons who are living together who must be included in the~~
19 ~~same assistance unit in order to receive cash assistance under~~
20 ~~this Article and the income and assets of those persons in an~~
21 ~~assistance unit which must be considered in determining~~
22 ~~eligibility.~~

23 ~~(c) The conditions of qualification herein specified shall~~
24 ~~not prejudice aid granted under this Code for foster care~~
25 ~~prior to the effective date of this 1969 Amendatory Act.~~

26 (Source: P.A. 92-408, eff. 8-17-01; 92-432, eff. 8-17-01.)

1 (305 ILCS 5/4-1.2a) (from Ch. 23, par. 4-1.2a)

2 Sec. 4-1.2a. Residents of public institutions. Residents
3 of municipal, county, state or national institutions for
4 persons with mental illness or persons with a developmental
5 disability or for the tuberculous, or residents of a home or
6 other institution maintained by such governmental bodies when
7 not in need of institutional care because of sickness,
8 convalescence, infirmity, or chronic illness, and inmates of
9 penal or correctional institutions maintained by such
10 governmental bodies, may qualify for aid under this Article
11 only after they have ceased to be residents or inmates.

12 A person shall not be deemed a resident of a State
13 institution for persons with mental illness or persons with a
14 developmental disability within the meaning of this Section if
15 he or she has been conditionally discharged by the Department
16 of Mental Health and Developmental Disabilities or the
17 Department of Human Services (acting as successor to the
18 Department of Mental Health and Developmental Disabilities)
19 and is no longer residing in the institution.

20 Recipients of benefits under this Article who become
21 residents of such institutions shall be permitted a period of
22 up to 30 days in such institutions without suspension or
23 termination of eligibility. Benefits for which such person is
24 eligible shall be restored, effective on the date of discharge
25 or release, for persons who are residents of institutions.

1 Within a reasonable time after the discharge of a person who
2 was a resident of an institution, the Department shall
3 redetermine the eligibility of such person.

4 ~~The Department shall provide for procedures to expedite~~
5 ~~the determination of incapacity or ability to engage in~~
6 ~~employment of persons scheduled to be discharged from~~
7 ~~facilities operated by the Department.~~

8 (Source: P.A. 92-111, eff. 1-1-02.)

9 (305 ILCS 5/4-1.6) (from Ch. 23, par. 4-1.6)

10 Sec. 4-1.6. Need.

11 (a) The assistance unit, as set forth in subsection (d) of
12 Section 4-1.2, shall be eligible for CASH if the assistance
13 unit has countable income as defined in subsection (b), at or
14 below 50% of the federal poverty level updated periodically in
15 the Federal Register by the U.S. Department of Health and
16 Human Services under the authority of 42 U.S.C. 9902(2).

17 (b) Countable income. In determining whether an assistance
18 unit has countable income at or below 50% of the federal
19 poverty level, the Department shall consider only income from
20 the following sources:

21 (1) wages and salaries of an employee;

22 (2) net earnings from self-employment;

23 (3) Social Security Retirement benefits;

24 (4) unemployment insurance benefits;

25 (5) pensions;

- 1 (6) dividends, interest, and royalties;
2 (7) spousal maintenance payments made pursuant to a
3 court order;
4 (8) payments provided to striking workers by a labor
5 union; and
6 (9) insurance payments made pursuant to a short-term
7 disability policy.

8 ~~Income available to the family as defined by the Illinois~~
9 ~~Department by rule, or to the child in the case of a child~~
10 ~~removed from his or her home, when added to contributions in~~
11 ~~money, substance or services from other sources, including~~
12 ~~income available from parents absent from the home or from a~~
13 ~~stepparent, contributions made for the benefit of the parent~~
14 ~~or other persons necessary to provide care and supervision to~~
15 ~~the child, and contributions from legally responsible~~
16 ~~relatives, must be equal to or less than the grant amount~~
17 ~~established by Department regulation for such a person. For~~
18 ~~purposes of eligibility for aid under this Article, the~~
19 ~~Department shall (a) disregard all earned income between the~~
20 ~~grant amount and 50% of the Federal Poverty Level and (b)~~
21 ~~disregard the value of all assets held by the family.~~

22 ~~In considering income to be taken into account,~~
23 ~~consideration shall be given to any expenses reasonably~~
24 ~~attributable to the earning of such income. Three fourths of~~
25 ~~the earned income of a household eligible for aid under this~~
26 ~~Article shall be disregarded when determining the level of~~

1 ~~assistance for which a household is eligible. All child~~
2 ~~support, whether it be current support, past support owed, or~~
3 ~~future support, that is collected on or after January 1, 2023~~
4 ~~on behalf of a family shall be passed through to the family and~~
5 ~~disregarded in determining the amount of the assistance grant~~
6 ~~provided to the family under this Article. Any amount of child~~
7 ~~support that would be disregarded in determining the amount of~~
8 ~~the assistance grant shall be disregarded in determining~~
9 ~~eligibility for cash assistance provided under this Article.~~
10 ~~The Illinois Department may also permit all or any portion of~~
11 ~~earned or other income to be set aside for the future~~
12 ~~identifiable needs of a child. The Illinois Department may~~
13 ~~provide by rule and regulation for the exemptions thus~~
14 ~~permitted or required. The eligibility of any applicant for or~~
15 ~~recipient of public aid under this Article is not affected by~~
16 ~~the payment of any grant under the "Senior Citizens and~~
17 ~~Persons with Disabilities Property Tax Relief Act" or any~~
18 ~~distributions or items of income described under subparagraph~~
19 ~~(X) of paragraph (2) of subsection (a) of Section 203 of the~~
20 ~~Illinois Income Tax Act.~~

21 ~~The Illinois Department may, by rule, set forth criteria~~
22 ~~under which an assistance unit is ineligible for cash~~
23 ~~assistance under this Article for a specified number of months~~
24 ~~due to the receipt of a lump sum payment.~~

25 (Source: P.A. 102-1115, eff. 7-1-24.)

1 (305 ILCS 5/4-1.6b)

2 Sec. 4-1.6b. Date for providing aid; employability
3 assessment.

4 (a) Except as set forth in subsection (c), the ~~The~~
5 Department shall provide an eligibility determination to all
6 applicants for cash assistance under this Article ~~financial~~
7 ~~aid~~ no more than 30 ~~45~~ days after the date of application.

8 ~~(b) During the first 45 days after the date of~~
9 ~~application, the applicant shall undergo a thorough~~
10 ~~employability assessment, in accordance with subsection (d) of~~
11 ~~Section 9A-8 of this Code, and shall prepare a personal plan~~
12 ~~for achieving employment and self-sufficiency in accordance~~
13 ~~with Section 4-1 of this Code. The requirement to engage in~~
14 ~~work-related activity may commence 30 days after the date of~~
15 ~~application.~~

16 (b) Cash assistance ~~(c) Financial aid~~ under this Article
17 shall be authorized effective 30 days after the date of
18 application, and immediately provided to the assistance unit
19 if the assistance unit is determined to be eligible. ~~provided~~
20 ~~that the applicant is eligible on that date.~~

21 (c) Expedited processing. Assistance units with zero
22 dollars of countable income as set forth in subsection (b) of
23 Section 4-1.6 shall be entitled to expedited processing of the
24 assistance unit's initial application. For assistance units
25 entitled to expedited processing, the Department shall provide
26 a determination of eligibility no later than 5 days after the

1 date of application. For assistance units determined to be
2 eligible through expedited processing, cash assistance under
3 this Article shall be authorized and provided to the
4 assistance unit no later than 5 days after the date of
5 application.

6 (Source: P.A. 96-866, eff. 7-1-10; 97-683, eff. 7-1-12.)

7 (305 ILCS 5/4-1.6c new)

8 Sec. 4-1.6c. Budgeting countable income.

9 (a) The Department shall use the estimated monthly income
10 of the assistance unit to determine income eligibility for
11 CASH. All applicants, and recipients whose eligibility is
12 being redetermined under Section 4-2.3, shall have their
13 income and attendant circumstances budgeted prospectively.
14 Estimated monthly income shall be further defined by the
15 Department by rule, subject to the provisions of this Article.

16 (b) In determining the eligibility of the assistance unit,
17 the Department shall consider only the countable income, as
18 set forth in subsection (b) of Section 4-1.6, of members of the
19 assistance unit, as set forth in subsection (d) of Section
20 4-1.2. The countable income of persons living with members of
21 the assistance unit, but who are not themselves members of the
22 assistance unit, shall not be considered.

23 (305 ILCS 5/4-1.13 new)

24 Sec. 4-1.13. Citizenship; immigration status.

1 (a) Cash assistance under this Article shall be made
2 available to assistance units eligible under Sections 4-1.1
3 through 4.1.6, regardless of the citizenship or immigration
4 status of any members of the assistance unit or any persons
5 with whom members of the assistance unit are living.

6 (b) The Department shall not attempt to verify the
7 citizenship or immigration status of eligible assistance
8 units, unless the household has also submitted an application
9 for benefits in addition to CASH, where verifying citizenship
10 or immigration status is necessary to determine eligibility
11 for such benefits under this Code or federal law.

12 (305 ILCS 5/4-2) (from Ch. 23, par. 4-2)

13 Sec. 4-2. Amount of aid.

14 (a) The amount of cash assistance that shall be paid to
15 eligible assistance units under this Article is equal to 40%
16 of the federal poverty level, updated periodically in the
17 Federal Register by the U.S. Department of Health and Human
18 Services under the authority of 42 U.S.C. 9902(2), based on
19 the number of persons included in the assistance unit as set
20 forth in Section 4-1.2(d). The amount of assistance is equal
21 to 40% of the federal poverty level, regardless of the amount
22 of countable income of the assistance unit below the income
23 eligibility limit as set forth in subsection (a) of Section
24 4-1.6. During the certification period, as set forth in
25 Section 4-2.2, the amount of cash assistance shall be divided

1 into 12 installments with one installment provided to the
2 assistance unit each calendar month. ~~and nature of financial~~
3 ~~aid shall be determined in accordance with the grant amounts,~~
4 ~~rules and regulations of the Illinois Department. Due regard~~
5 ~~shall be given to the self sufficiency requirements of the~~
6 ~~family and to the income, money contributions and other~~
7 ~~support and resources available, from whatever source.~~
8 ~~However, the amount and nature of any financial aid is not~~
9 ~~affected by the payment of any grant under the "Senior~~
10 ~~Citizens and Persons with Disabilities Property Tax Relief~~
11 ~~Act" or any distributions or items of income described under~~
12 ~~subparagraph (X) of paragraph (2) of subsection (a) of Section~~
13 ~~203 of the Illinois Income Tax Act. The aid shall be~~
14 ~~sufficient, when added to all other income, money~~
15 ~~contributions and support to provide the family with a grant~~
16 ~~in the amount established by Department regulation.~~

17 ~~(a 5) For the purposes of this subsection, TANF grant~~
18 ~~amounts shall consist of the following portions:~~

19 ~~(1) 75% shall be designated for the child or children~~
20 ~~of the assistance unit; and~~

21 ~~(2) 25% shall be designated for the adult member or~~
22 ~~members of the assistance unit.~~

23 ~~(b) The Illinois Department may conduct special projects,~~
24 ~~which may be known as Grant Diversion Projects, under which~~
25 ~~recipients of financial aid under this Article are placed in~~
26 ~~jobs and their grants are diverted to the employer who in turn~~

1 ~~makes payments to the recipients in the form of salary or other~~
2 ~~employment benefits. The Illinois Department shall by rule~~
3 ~~specify the terms and conditions of such Grant Diversion~~
4 ~~Projects. Such projects shall take into consideration and be~~
5 ~~coordinated with the programs administered under the Illinois~~
6 ~~Emergency Employment Development Act.~~

7 ~~(c) The amount and nature of the financial aid for a child~~
8 ~~requiring care outside his own home shall be determined in~~
9 ~~accordance with the rules and regulations of the Illinois~~
10 ~~Department, with due regard to the needs and requirements of~~
11 ~~the child in the foster home or institution in which he has~~
12 ~~been placed.~~

13 ~~(d) If the Department establishes grants for family units~~
14 ~~consisting exclusively of a pregnant woman with no dependent~~
15 ~~child or including her husband if living with her, the grant~~
16 ~~amount for such a unit shall be equal to the grant amount for~~
17 ~~an assistance unit consisting of one adult, or 2 persons if the~~
18 ~~husband is included. Other than as herein described, an unborn~~
19 ~~child shall not be counted in determining the size of an~~
20 ~~assistance unit or for calculating grants.~~

21 ~~Payments for basic maintenance requirements of a child or~~
22 ~~children and the relative with whom the child or children are~~
23 ~~living shall be prescribed, by rule, by the Illinois~~
24 ~~Department.~~

25 Grants under this Article shall not be supplemented by
26 General Assistance provided under Article VI.

1 (b) Cash assistance ~~(e) Grants~~ shall be paid to the
2 designated caretaker relative as set forth in Section 4-1.2.
3 ~~parent or other person with whom the child or children are~~
4 ~~living, except for such amount as is paid in behalf of the~~
5 ~~child or his parent or other relative to other persons or~~
6 ~~agencies pursuant to this Code or the rules and regulations of~~
7 ~~the Illinois Department.~~

8 (c) The amount of cash assistance shall not vary on the
9 basis of the applicant assistance unit's county of residence.

10 ~~(f) Subject to subsection (f 5), an assistance unit,~~
11 ~~receiving financial aid under this Article or temporarily~~
12 ~~ineligible to receive aid under this Article under a penalty~~
13 ~~imposed by the Illinois Department for failure to comply with~~
14 ~~the eligibility requirements or that voluntarily requests~~
15 ~~termination of financial assistance under this Article and~~
16 ~~becomes subsequently eligible for assistance within 9 months,~~
17 ~~shall not receive any increase in the amount of aid solely on~~
18 ~~account of the birth of a child; except that an increase is not~~
19 ~~prohibited when the birth is (i) of a child of a pregnant woman~~
20 ~~who became eligible for aid under this Article during the~~
21 ~~pregnancy, or (ii) of a child born within 10 months after the~~
22 ~~date of implementation of this subsection, or (iii) of a child~~
23 ~~conceived after a family became ineligible for assistance due~~
24 ~~to income or marriage and at least 3 months of ineligibility~~
25 ~~expired before any reapplication for assistance. This~~
26 ~~subsection does not, however, prevent a unit from receiving a~~

1 ~~general increase in the amount of aid that is provided to all~~
2 ~~recipients of aid under this Article.~~

3 ~~The Illinois Department is authorized to transfer funds,~~
4 ~~and shall use any budgetary savings attributable to not~~
5 ~~increasing the grants due to the births of additional~~
6 ~~children, to supplement existing funding for employment and~~
7 ~~training services for recipients of aid under this Article IV.~~
8 ~~The Illinois Department shall target, to the extent the~~
9 ~~supplemental funding allows, employment and training services~~
10 ~~to the families who do not receive a grant increase after the~~
11 ~~birth of a child. In addition, the Illinois Department shall~~
12 ~~provide, to the extent the supplemental funding allows, such~~
13 ~~families with up to 24 months of transitional child care~~
14 ~~pursuant to Illinois Department rules. All remaining~~
15 ~~supplemental funds shall be used for employment and training~~
16 ~~services or transitional child care support.~~

17 ~~In making the transfers authorized by this subsection, the~~
18 ~~Illinois Department shall first determine, pursuant to~~
19 ~~regulations adopted by the Illinois Department for this~~
20 ~~purpose, the amount of savings attributable to not increasing~~
21 ~~the grants due to the births of additional children. Transfers~~
22 ~~may be made from General Revenue Fund appropriations for~~
23 ~~distributive purposes authorized by Article IV of this Code~~
24 ~~only to General Revenue Fund appropriations for employability~~
25 ~~development services including operating and administrative~~
26 ~~costs and related distributive purposes under Article IXA of~~

1 ~~this Code. The Director, with the approval of the Governor,~~
2 ~~shall certify the amount and affected line item appropriations~~
3 ~~to the State Comptroller.~~

4 ~~Nothing in this subsection shall be construed to prohibit~~
5 ~~the Illinois Department from using funds under this Article IV~~
6 ~~to provide assistance in the form of vouchers that may be used~~
7 ~~to pay for goods and services deemed by the Illinois~~
8 ~~Department, by rule, as suitable for the care of the child such~~
9 ~~as diapers, clothing, school supplies, and cribs.~~

10 ~~(f 5) Subsection (f) shall not apply to affect the monthly~~
11 ~~assistance amount of any family as a result of the birth of a~~
12 ~~child on or after January 1, 2004. As resources permit after~~
13 ~~January 1, 2004, the Department may cease applying subsection~~
14 ~~(f) to limit assistance to families receiving assistance under~~
15 ~~this Article on January 1, 2004, with respect to children born~~
16 ~~prior to that date. In any event, subsection (f) shall be~~
17 ~~completely inoperative on and after July 1, 2007.~~

18 ~~(g) (Blank).~~

19 ~~(d) (h)~~ Notwithstanding any other provision of this Code,
20 the Illinois Department is authorized to suspend acceptance of
21 new applications for CASH and suspend redeterminations of
22 eligibility for CASH ~~reduce payment levels used to determine~~
23 ~~cash grants~~ under this Article after December 31 of any fiscal
24 year if the Illinois Department determines that the caseload
25 upon which the appropriations for the current fiscal year are
26 ~~based have increased by more than 5% and the appropriation is~~

1 not sufficient to ensure that cash benefits under this Article
2 do not exceed the amounts appropriated for those cash
3 benefits. The suspension of applications or redeterminations
4 ~~Reductions in payment levels~~ may be accomplished by emergency
5 rule under Section 5-45 of the Illinois Administrative
6 Procedure Act, except that the limitation on the number of
7 emergency rules that may be adopted in a 24-month period shall
8 not apply and the provisions of Sections 5-115 and 5-125 of the
9 Illinois Administrative Procedure Act shall not apply.
10 ~~Increases in payment levels shall be accomplished only in~~
11 ~~accordance with Section 5-40 of the Illinois Administrative~~
12 ~~Procedure Act. Before any rule to increase payment levels~~
13 ~~promulgated under this Section shall become effective, a joint~~
14 ~~resolution approving the rule must be adopted by a roll call~~
15 ~~vote by a majority of the members elected to each chamber of~~
16 ~~the General Assembly.~~

17 (Source: P.A. 101-103, eff. 7-19-19.)

18 (305 ILCS 5/4-2.1 new)

19 Sec. 4-2.1. Application.

20 (a) To receive CASH under this Article, assistance units
21 must submit an application.

22 (b) The Department shall make applications for CASH
23 available to the public immediately upon the effective date of
24 this amendatory Act of the 104th General Assembly. The
25 Department shall integrate the application for CASH into the

1 combined Application for Benefits Eligibility, or any other
2 system that the Department may use in the future to allow
3 applications for multiple forms of assistance. The Department
4 shall make paper applications for CASH available at all local
5 offices. In addition to the methods set forth above, the
6 Department may develop other methods by which to accept
7 applications for CASH.

8 (c) For households applying only for CASH, the application
9 shall include a request for only such information as required
10 to verify eligibility for CASH under this Article.

11 (d) In verifying the income eligibility of the assistance
12 unit, the Department shall make reasonable efforts to limit
13 the verification documentation from the applicant assistance
14 unit. Department efforts shall include but are not limited to:

15 (1) utilizing any and all electronic data sources
16 already available to the Department for purposes of
17 assessing eligibility for benefits, subject to any
18 restrictions in State or federal law, including, but not
19 limited to:

20 (i) income tax information;

21 (ii) unearned income, retirement benefits, and
22 other relevant information maintained by the Social
23 Security Administration;

24 (iii) employer reports of income and unemployment
25 insurance payment information maintained by the
26 Department of Employment Security;

1 (iv) wage reporting and similar information
2 maintained by states contiguous to this State;

3 (v) employment information maintained by the
4 Department of Employment Security in its New Hire
5 Directory database;

6 (vi) employment information maintained by the
7 United States Department of Health and Human Services
8 in its National Directory of New Hires database;

9 (vii) veterans' benefits information maintained by
10 the United States Department of Health and Human
11 Services, in coordination with the Department of
12 Health and Human Services and the Department of
13 Veterans' Affairs, in the federal Public Assistance
14 Reporting Information System (PARIS) database;

15 (viii) residency information maintained by the
16 Illinois Secretary of State; and

17 (ix) a database which is substantially similar to
18 or a successor of a database described in this Section
19 that contains information relevant for verifying
20 eligibility;

21 (2) utilizing income eligibility information submitted
22 by members of the assistance unit pursuant to the
23 assistance unit's application or redetermination of other
24 benefits administered by the Department, subject to any
25 restrictions in State or federal law, including, but not
26 limited to:

1 (i) Aid for the Aged, Blind, and Disabled (AABD)
2 under Article III;

3 (ii) Medical Assistance under Article V;

4 (iii) the Supplemental Nutrition Assistance
5 Program (SNAP);

6 (iv) the Special Supplemental Nutrition Program
7 for Women, Infants, and Children (WIC);

8 (v) the Child Care Assistance Program under
9 Article IX; and

10 (vi) benefits for foreign-born victims of
11 trafficking, torture, or other serious crimes under
12 Article XVI.

13 (e) The Department shall adopt a reasonable compatibility
14 test for determining if the amount of countable income
15 reported by the applicant assistance unit is reasonably
16 compatible with income the Department has verified
17 electronically or from other sources, including, but not
18 limited to, those set forth in paragraph (1) of subsection
19 (d). Reported income is reasonably compatible with
20 electronically verified income when the Federal Poverty Level
21 (FPL), updated periodically in the Federal Register by the
22 U.S. Department of Health and Human Services under the
23 authority of 42 U.S.C. 9902(2), of the income reported on the
24 application or redetermination of eligibility form is within
25 5% of the federal poverty level of countable income
26 verification obtained by the Department electronically or from

1 another data source.

2 (1) If the countable income reported by the applicant
3 assistance unit, or recipient assistance unit during a
4 redetermination of eligibility, is in an amount less than
5 or equal to 50% of the Federal Poverty Level, and the
6 reported countable income is reasonably compatible with
7 countable income the Department has verified
8 electronically or from other sources, additional
9 verification of income shall not be requested of the
10 assistance unit, and the Department shall finalize the
11 determination of eligibility.

12 (2) If the countable income reported by the applicant
13 assistance unit, or recipient assistance unit during a
14 redetermination of eligibility, is in an amount less than
15 or equal to 50% of the Federal Poverty Level, and the
16 reported countable income is not reasonably compatible
17 with countable income the Department has verified
18 electronically or from other sources, additional
19 verification of income shall be requested of the
20 assistance unit.

21 (3) If the countable income reported by the applicant
22 assistance unit, or recipient assistance unit during a
23 redetermination of eligibility, is in an amount greater
24 than 50% of the Federal Poverty Level, and the reported
25 countable income is reasonably compatible with countable
26 income the Department has verified electronically or from

1 other sources, where the countable income the Department
2 has verified electronically or from other sources is in an
3 amount less than or equal to 50% of the Federal Poverty
4 Level, additional verification of income shall be
5 requested of the assistance unit.

6 (4) If the countable income reported by the applicant
7 assistance unit, or recipient assistance unit during a
8 redetermination of eligibility, is in an amount greater
9 than 50% of the Federal Poverty Level, but less than or
10 equal to 55% of the Federal Poverty Level, and the
11 countable income the Department has verified
12 electronically or from other sources is also in an amount
13 greater than 50% of the Federal Poverty Level, additional
14 verification of countable income shall be requested of the
15 applicant assistance unit.

16 (5) If the countable income reported by the applicant
17 assistance unit, or recipient assistance unit during a
18 redetermination of eligibility, is in an amount greater
19 than 55% of the Federal Poverty Level, and the countable
20 income the Department has verified electronically or from
21 other sources is also in an amount greater than 50% of the
22 Federal Poverty Level, additional verification of income
23 shall not be requested of the applicant assistance unit
24 and the Department shall finalize the determination of
25 ineligibility.

26 (f) Assistance units must cooperate in the determination

1 of eligibility for CASH. When the Department is not in
2 possession of reliable or reasonably compatible information
3 sufficient to verify the eligibility of the assistance unit,
4 and the assistance unit is unwilling or fails to provide
5 additional verification or to consent to verification, the
6 application will be denied.

7 (305 ILCS 5/4-2.2 new)

8 Sec. 4-2.2. Certification period.

9 (a) Assistance units deemed eligible to receive CASH
10 either at the point of initial application, as set forth in
11 Section 4-2.1, or following a redetermination of eligibility,
12 as set forth in Section 4-2.3, shall be certified to receive
13 monthly cash installments as set forth in subsection (a) of
14 Section 4-2 for a period of 12 months.

15 (b) Assistance units certified as eligible for CASH shall
16 receive monthly cash installments during the 12-month
17 certification period regardless of changes in household
18 circumstances, such as increased countable income or a change
19 in the composition of the assistance unit.

20 (c) Assistance units shall not be obligated to report to
21 the Department any changes in circumstances until the
22 eligibility of the assistance unit is redetermined as set
23 forth in Section 4-2.3.

24 The assistance unit may report changes in circumstances to
25 the Department where those changes would result in an increase

1 in the amount of cash assistance as set forth in Section 4-2,
2 such as the birth of a child. Upon receiving a report from an
3 assistance unit that would result in an increase in the
4 benefits of the assistance unit, the Department shall reassess
5 the amount of assistance under Section 4-2 and issue the
6 increased allotments beginning from the date of the reported
7 change.

8 (305 ILCS 5/4-2.3 new)

9 Sec. 4-2.3. Redetermination of eligibility.

10 (a) A redetermination of the eligibility of each
11 assistance unit receiving CASH shall be conducted before the
12 end of the 12-month certification period. It is the
13 Department's responsibility to determine the continued
14 eligibility of all assistance units receiving CASH and it is
15 the responsibility of the assistance unit to cooperate in the
16 redetermination of eligibility.

17 (b) In redetermining the eligibility of the assistance
18 unit, the Department shall request only such information as
19 required to verify continued eligibility for CASH under this
20 Article.

21 (c) Just as with the determination of eligibility at the
22 point of application as set forth in Section 4-2.1, in
23 redetermining the income eligibility of the assistance unit,
24 the Department shall make reasonable efforts to limit the
25 verification documentation from the assistance unit and apply

1 the reasonable compatibility test for countable income set
2 forth in subsection (e) of Section 4-2.1. The Department shall
3 make reasonable efforts to provide assistance units with
4 redetermination forms that are pre-populated with reliable and
5 timely information, including updated information related to
6 countable income, that is accessible to the Department without
7 the cooperation of the assistance unit.

8 (d) If additional information is necessary to redetermine
9 the eligibility of the assistance unit, the Department shall
10 make a request of that information from the household. The
11 assistance unit's failure to produce the requested information
12 in a timely manner will result in a termination of
13 eligibility.

14 (e) When information of a change in an assistance unit's
15 circumstances is received by the Department and the review and
16 application of that information would result in a decision
17 that an assistance unit is eligible for an increased amount of
18 financial assistance, the Department shall provide the
19 increased amount of assistance payment no later than 30
20 calendar days from the date that the Department initially
21 received the information.

22 (305 ILCS 5/4-4) (from Ch. 23, par. 4-4)

23 Sec. 4-4. Entitlement to medical assistance.

24 (a) Children ~~and adults~~ qualified for cash assistance
25 under this Article ~~aid~~ shall be entitled to receive, ~~under~~

1 ~~Article V,~~ all necessary medical assistance under Article V.

2 (b) Adults qualified for cash assistance under this
3 Article who are not enrolled in medical assistance under
4 Article V and who have not submitted an application for
5 medical assistance under Article V shall be notified by the
6 Department of their potential eligibility for medical
7 assistance under Article V and provided information on how to
8 apply.

9 (Source: Laws 1967, p. 122.)

10 (305 ILCS 5/4-9) (from Ch. 23, par. 4-9)

11 Sec. 4-9. Protective payment to substitute payee. If the
12 parent or designated caretaker relative becomes absent from
13 the home or is otherwise unable to manage the cash assistance
14 on behalf of the child or children in the assistance unit, the
15 Department ~~other grantee relative persistently mismanages the~~
16 ~~grant to the detriment of the child and the family but there is~~
17 ~~reason to believe that, with specialized counseling and~~
18 ~~guidance services, the parent or relative may develop ability~~
19 ~~to manage the funds properly, the County Department, in~~
20 ~~accordance with the rules and regulations of the Illinois~~
21 ~~Department,~~ may designate a person who is interested in or
22 concerned with the welfare of the child and its family as a
23 substitute payee to receive the cash assistance ~~aid~~ payment on
24 behalf of the assistance unit ~~family~~. The County Department
25 may designate private welfare or social service agencies to

1 serve as substitute payees in appropriate cases.

2 The substitute payee shall serve without compensation and
3 assume the obligation of seeing that the cash assistance ~~aid~~
4 ~~payment~~ is expended for the benefit of the child and the
5 family. The substitute payee ~~He~~ may spend the grant for the
6 family, or supervise the parent or other relative in the use of
7 the grant, depending upon the circumstances in each case, ~~and~~
8 ~~shall make monthly reports to the County Department as the~~
9 ~~County Department and the Illinois Department may require.~~

10 ~~The County Department shall terminate the protective~~
11 ~~payment when it is no longer necessary to assure that the grant~~
12 ~~is being used for the welfare of the child and family, or when~~
13 ~~the parent or other relative is no longer receiving and no~~
14 ~~longer requires treatment for substance use disorders, mental~~
15 ~~health services, or other special care or treatment.~~

16 ~~A substitute payee may be removed, in accordance with the~~
17 ~~rules and regulations of the Illinois Department, for~~
18 ~~unsatisfactory service. The removal may be effected without~~
19 ~~hearing. The decision shall not be appealable to the Illinois~~
20 ~~Department nor shall it be reviewable in the courts.~~

21 ~~The County Department shall conduct periodic reviews as~~
22 ~~may be required by the Illinois Department to determine~~
23 ~~whether there is a continuing need for a protective payment.~~
24 ~~If it appears that the need for the payment is likely to~~
25 ~~continue beyond a reasonable period, the County Department~~
26 ~~shall take one of the other actions set out in Section 4-8.~~

1 ~~The parent or other relative shall be advised, in advance~~
2 ~~of a determination to make a protective payment, that he may~~
3 ~~appeal the decision to the Illinois Department under the~~
4 ~~provisions of Section 11-8 of Article XI.~~

5 (Source: P.A. 100-759, eff. 1-1-19.)

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
24 hardships as the Illinois Department shall by rule define, the
25 Illinois Department may provide assistance to alleviate such

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

12 The Illinois Department by regulation shall specify the
13 criteria for determining eligibility and the amount and nature
14 of assistance to be provided. The Department shall not limit
15 eligibility for crisis assistance based on the employment
16 status of the assistance unit. Where deprivation of shelter
17 exists or is threatened, the Illinois Department may provide
18 reasonable moving expenses, short term rental costs, including
19 one month's rent and a security deposit where such expenses
20 are needed for relocation, and, where the Department
21 determines appropriate, provide assistance to prevent an
22 imminent eviction or foreclosure. These amounts may be
23 described in established amounts or maximums. The Illinois
24 Department may also describe, for each form of assistance
25 authorized, the method by which the assistance shall be
26 delivered, including but not limited to warrants or disbursing

1 orders.

2 ~~Annual expenditures under this Section shall not exceed~~
3 ~~\$2,000,000. The Illinois Department shall review such~~
4 ~~expenditures quarterly and shall, if necessary, reduce the~~
5 ~~amounts or nature of assistance authorized in order to assure~~
6 ~~that the limit is not exceeded.~~

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

8 (305 ILCS 5/4-22)

9 Sec. 4-22. Domestic and sexual violence.

10 (a) The initial application ~~assessment~~ process set forth
11 under Section 4-2.1 ~~to develop the personal plan for achieving~~
12 ~~self-sufficiency~~ shall include a question or set of questions
13 that screen for domestic and sexual violence issues.
14 Accompanying these questions shall be a statement notifying
15 the applicant that their answers to these questions will not
16 impact their eligibility for CASH. If the individual indicates
17 that he or she is the victim of domestic or sexual violence and
18 further indicates a need to address domestic or sexual
19 violence issues, the Department shall take ~~in order to reach~~
20 ~~self-sufficiency, the plan shall take this factor into account~~
21 ~~in determining the work, education, and training activities~~
22 ~~suitable to the client for achieving self-sufficiency. In~~
23 ~~addition, in such a case,~~ specific steps needed to directly
24 address the domestic or sexual violence issues ~~may also be~~
25 ~~made part of the plan,~~ including referral to an available

1 domestic or sexual violence program. Assistance under this
2 Article shall not be conditioned on participation in a
3 domestic or sexual violence program. ~~The Department shall~~
4 ~~conduct an individualized assessment and grant waivers of~~
5 ~~program requirements and other required activities for victims~~
6 ~~of domestic violence to the fullest extent allowed by 42~~
7 ~~U.S.C. 602(a)(7)(A), and shall apply the same laws,~~
8 ~~regulations, and policies to victims of sexual violence. The~~
9 ~~duration of such waivers shall be initially determined and~~
10 ~~subsequently redetermined on a case by case basis. There shall~~
11 ~~be no limitation on the total number of months for which~~
12 ~~waivers under this Section may be granted, but continuing~~
13 ~~eligibility for a waiver shall be redetermined no less often~~
14 ~~than every 6 months.~~

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

22 (c) The Illinois Department shall develop and implement a
23 domestic violence training curriculum for Illinois Department
24 employees who serve applicants for and recipients of aid under
25 this Article. The curriculum shall be designed to better equip
26 those employees to identify and serve domestic violence

1 victims. The Illinois Department may enter into a contract for
2 the development of the curriculum with one or more
3 organizations providing services to domestic violence victims.
4 The Illinois Department shall adopt rules necessary to
5 implement this subsection.

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

7 (305 ILCS 5/4-23)

8 Sec. 4-23. Civil rights impact statement.

9 (a) The Department of Human Services must submit to the
10 Governor and the General Assembly on January 1 of each
11 even-numbered year a written report that details the disparate
12 impact of various provisions of the CASH ~~TANE~~ program on
13 people of different racial or ethnic groups who identify
14 themselves in an application for benefits as any of the
15 following:

16 (1) American Indian or Alaska Native (a person having
17 origins in any of the original peoples of North and South
18 America, including Central America, and who maintains
19 tribal affiliation or community attachment).

20 (2) Asian (a person having origins in any of the
21 original peoples of the Far East, Southeast Asia, or the
22 Indian subcontinent, including, but not limited to,
23 Cambodia, China, India, Japan, Korea, Malaysia, Pakistan,
24 the Philippine Islands, Thailand, and Vietnam).

25 (3) Black or African American (a person having origins

1 in any of the black racial groups of Africa).

2 (4) Hispanic or Latino (a person of Cuban, Mexican,
3 Puerto Rican, South or Central American, or other Spanish
4 culture or origin, regardless of race).

5 (5) Native Hawaiian or Other Pacific Islander (a
6 person having origins in any of the original peoples of
7 Hawaii, Guam, Samoa, or other Pacific Islands).

8 (6) White (a person having origins in any of the
9 original peoples of Europe, the Middle East, or North
10 Africa).

11 (b) The report must at least compare the number of persons
12 in each group:

13 (1) who are receiving CASH ~~TANF~~ assistance;

14 ~~(2) whose 60-month lifetime limit on receiving~~
15 ~~assistance has expired;~~

16 (2) who were no longer eligible for CASH at the end of
17 their 12-month certification period ~~(3) who have left TANF~~
18 due to increased ~~earned~~ income;

19 ~~(4) who have left TANF due to non-compliance with~~
20 ~~program rules;~~

21 ~~(5) whose TANF grants have been reduced by sanctions~~
22 ~~for non-compliance with program rules;~~

23 (3) ~~(6)~~ who have returned to CASH within ~~TANF~~ 6 months
24 after being determined no longer eligible for CASH at the
25 end of their most recent 12-month certification period
26 ~~leaving~~ due to increased earned income; and

1 (4) ~~(7)~~ who have returned to CASH within TANF 12
2 months after being determined no longer eligible for CASH
3 at the end of their most recent 12-month certification
4 period leaving due to increased earned income. †

5 ~~(8) who have one or more children excluded from~~
6 ~~receiving TANF cash assistance due to the child exclusion~~
7 ~~rule;~~

8 ~~(9) who have been granted an exemption from work~~
9 ~~requirements; and~~

10 ~~(10) who are participating in post secondary education~~
11 ~~activities.~~

12 (Source: P.A. 102-465, eff. 1-1-22.)

13 (305 ILCS 5/4-24 new)

14 Sec. 4-24. Transition of assistance units from TANF to
15 CASH.

16 (a) On the effective date of this amendatory Act of the
17 104th General Assembly, the Department shall immediately apply
18 the provisions of this amendatory Act of the 104th General
19 Assembly to assistance units receiving assistance under this
20 Article, such that households do not experience an
21 interruption of assistance.

22 (b) Households receiving TANF assistance on the effective
23 date of this amendatory Act of the 104th General Assembly
24 shall not be required to newly apply for CASH. The Department
25 shall redetermine the assistance unit's eligibility for CASH

1 as set forth in Section 4-2.3 at a time that is 12 months after
2 the date of the assistance unit's most recent eligibility
3 determination for TANF, prior to the effective date of this
4 amendatory Act of the 104th General Assembly.

5 (305 ILCS 5/4-25 new)

6 Sec. 4-25. Rules. The Department shall adopt any rules
7 necessary to implement the changes made to this Article by
8 this amendatory Act of the 104th General Assembly. In adopting
9 rules implementing the program, the Department shall make
10 reasonable efforts to promote access and limit administrative
11 burdens on applicants and participating assistance units.

12 (305 ILCS 5/6-1.3) (from Ch. 23, par. 6-1.3)

13 Sec. 6-1.3. Utilization of aid available under other
14 provisions of Code. The person must have been determined
15 ineligible for aid under the federally funded programs to aid
16 refugees and Articles III, IV or V. Nothing in this Section
17 shall prevent the use of General Assistance funds to pay any
18 portion of the costs of care and maintenance in a residential
19 substance use disorder treatment program licensed by the
20 Department of Human Services, or in a County Nursing Home, or
21 in a private nursing home, retirement home or other facility
22 for the care of the elderly, of a person otherwise eligible to
23 receive General Assistance except for the provisions of this
24 paragraph.

1 A person otherwise eligible for aid under the federally
2 funded programs to aid refugees or Articles III,~~IV~~ or V who
3 fails or refuses to comply with provisions of this Code or
4 other laws, or rules and regulations of the Illinois
5 Department, which would qualify him for aid under those
6 programs or Articles, shall not receive General Assistance
7 under this Article nor shall any of his dependents whose
8 eligibility is contingent upon such compliance receive General
9 Assistance.

10 ~~Persons and families who are ineligible for aid under~~
11 ~~Article IV due to having received benefits under Article IV~~
12 ~~for any maximum time limits set under the Illinois Temporary~~
13 ~~Assistance for Needy Families (TANF) Plan shall not be~~
14 ~~eligible for General Assistance under this Article unless the~~
15 ~~Illinois Department or the local governmental unit, by rule,~~
16 ~~specifies that those persons or families may be eligible.~~

17 (Source: P.A. 100-759, eff. 1-1-19; 100-863, eff. 8-14-18.)

18 (305 ILCS 5/8A-18)

19 Sec. 8A-18. Application assistance fraud; SNAP; AABD; CASH
20 ~~TANF~~. It is a Class C misdemeanor for any person, including an
21 individual, firm, corporation, association, partnership, or
22 joint venture, or any employee or agent of any of those, to
23 assist or represent another person in completing or submitting
24 an application for benefits under the federal Supplemental
25 Nutrition Assistance Program (SNAP), the State's Aid to the

1 Aged, Blind, or Disabled (AABD) program, or the State's Cash
2 Assistance to Strengthen Households (CASH) ~~Temporary~~
3 ~~Assistance for Needy Families (TANF)~~ program, in exchange for
4 a portion of the applicant's SNAP, AABD, or CASH ~~TANF~~ benefits
5 or cash or any other form of payment from any other source. An
6 applicant who receives such assistance or representation is
7 not in violation of this Section. Nothing in this Section
8 shall be construed as prohibiting an applicant from receiving
9 such assistance or representation when appealing a denial of
10 an application for SNAP, AABD, or CASH ~~TANF~~ benefits.

11 (Source: P.A. 98-931, eff. 8-15-14.)

12 (305 ILCS 5/9A-3) (from Ch. 23, par. 9A-3)

13 Sec. 9A-3. Establishment of Program and Level of Services.

14 (a) The Illinois Department shall establish and maintain a
15 program to provide recipients with services to promote their
16 economic stability and well-being ~~consistent with the purposes~~
17 ~~and provisions of this Article~~. The program offered in
18 different counties of the State may vary depending on the
19 resources available to the State to provide a program under
20 this Article, and no program may be offered in some counties,
21 depending on the resources available. Services may be provided
22 directly by the Illinois Department or through contract.
23 References to the Illinois Department or staff of the Illinois
24 Department shall include contractors when the Illinois
25 Department has entered into contracts for these purposes. The

1 Illinois Department shall make ~~provide each recipient who~~
2 ~~participates with~~ such services available to each recipient
3 under the program ~~as are necessary to achieve his~~
4 ~~employability plan as specified in the plan.~~

5 (b) The Illinois Department, in operating the program,
6 shall cooperate with public and private education and
7 vocational training or retraining agencies or facilities, the
8 Illinois State Board of Education, the Illinois Community
9 College Board, the Departments of Employment Security and
10 Commerce and Economic Opportunity or other sponsoring
11 organizations funded under the federal Workforce Innovation
12 and Opportunity Act and other public or licensed private
13 employment agencies.

14 (Source: P.A. 100-477, eff. 9-8-17.)

15 (305 ILCS 5/9A-4) (from Ch. 23, par. 9A-4)

16 Sec. 9A-4. Participation.

17 ~~(a)~~ Participation in, or cooperation with, any program or
18 service provided under this Article shall not be a condition
19 of eligibility for receipt of assistance under Article IV.
20 Nothing in this Article shall be construed to require
21 recipients to participate to be eligible for assistance under
22 Article IV. The Department shall inform all applicants and
23 recipients of assistance under Article IV that the recipient's
24 participation in, or cooperation with, any program or service
25 provided under this Article is not required to be eligible

1 for, or maintain, assistance under Article IV. Programs and
2 services will be offered to recipients who wish to volunteer
3 to participate only to the extent resources permit. Except for
4 those exempted under subsection (b) below, and to the extent
5 resources permit, the Illinois Department as a condition of
6 eligibility for public aid, may, as provided by rule, require
7 all recipients to participate in an education, training, and
8 employment program, which shall include accepting suitable
9 employment and refraining from terminating employment or
10 reducing earnings without good cause.

11 ~~(b) Recipients shall be exempt from the requirement of~~
12 ~~participation in the education, training, and employment~~
13 ~~program in the following circumstances:~~

14 ~~(1) The recipient is a person over age 60; or~~

15 ~~(2) The recipient is a person with a child under age~~
16 ~~one.~~

17 ~~Recipients are entitled to request a reasonable~~
18 ~~modification to the requirement of participation in the~~
19 ~~education, training and employment program in order to~~
20 ~~accommodate a qualified individual with a disability as~~
21 ~~defined by the Americans with Disabilities Act. Requests for a~~
22 ~~reasonable modification shall be evaluated on a case by case~~
23 ~~functional basis by designated staff based on Department rule.~~
24 ~~All such requests shall be monitored as part of the agency's~~
25 ~~quality assurance process or processes to attest to the~~
26 ~~expediency with which such requests are addressed.~~

1 ~~Implementation of the changes made to this Section by this~~
2 ~~amendatory Act of the 94th General Assembly is subject to~~
3 ~~appropriation.~~

4 (Source: P.A. 94-629, eff. 1-1-06.)

5 (305 ILCS 5/9A-8) (from Ch. 23, par. 9A-8)

6 Sec. 9A-8. Operation of program.

7 (a) At the time of application or redetermination of
8 eligibility under Article IV, as determined by rule, the
9 Illinois Department shall provide information in writing and
10 orally regarding the availability of the education, training
11 and employment program to all applicants and recipients. The
12 information required shall be established by rule and shall
13 include, but need not be limited to:

14 (1) education (including literacy training),
15 employment and training opportunities available, ~~the~~
16 ~~criteria for approval of those opportunities, and the~~
17 ~~right to request changes in the personal responsibility~~
18 ~~and services plan to include those opportunities;~~

19 (1.1) a complete list of all activities that are
20 available ~~approvable activities, and the circumstances~~
21 ~~under which they are approvable,~~ including work
22 activities, substance use disorder or mental health
23 treatment, activities to escape and prevent domestic
24 violence, additional supports available for caring for a
25 medically impaired family member, ~~and any other approvable~~

1 ~~activities, together with the right to and procedures for~~
2 ~~amending the responsibility and services plan to include~~
3 ~~these activities;~~

4 ~~(1.2) the rules concerning the lifetime limit on~~
5 ~~eligibility, including the current status of the applicant~~
6 ~~or recipient in terms of the months of remaining~~
7 ~~eligibility, the criteria under which a month will not~~
8 ~~count towards the lifetime limit, and the criteria under~~
9 ~~which a recipient may receive benefits beyond the end of~~
10 ~~the lifetime limit;~~

11 (2) supportive services including child care and the
12 rules regarding eligibility for and access to the child
13 care assistance program, transportation, initial expenses
14 of employment, job retention, books and fees, and any
15 other supportive services;

16 (3) the obligation of the Department to provide
17 supportive services;

18 ~~(4) the rights and responsibilities of participants,~~
19 ~~including exemption, sanction, reconciliation, and good~~
20 ~~cause criteria and procedures, termination for~~
21 ~~non-cooperation and reinstatement rules and procedures,~~
22 ~~and appeal and grievance procedures; and~~

23 (4) ~~(5)~~ the types and locations of child care
24 services; and -

25 (5) notice to the client that participation with any
26 program or service offered as part of the education,

1 training, and employment program is not required to
2 receive assistance under Article IV.

3 (b) The Illinois Department shall notify the recipient in
4 writing of the opportunity to volunteer to participate in the
5 program.

6 ~~(c) (Blank).~~

7 ~~(d) As part of the personal plan for achieving employment~~
8 ~~and self sufficiency, the Department shall conduct an~~
9 ~~individualized assessment of the participant's employability.~~
10 ~~No participant may be assigned to any component of the~~
11 ~~education, training and employment activity prior to such~~
12 ~~assessment. The plan shall include collection of information~~
13 ~~on the individual's background, proficiencies, skills~~
14 ~~deficiencies, education level, work history, employment goals,~~
15 ~~interests, aptitudes, and employment preferences, as well as~~
16 ~~factors affecting employability or ability to meet~~
17 ~~participation requirements (e.g., health, physical or mental~~
18 ~~limitations, child care, family circumstances, domestic~~
19 ~~violence, sexual violence, substance use disorders, and~~
20 ~~special needs of any child of the individual). As part of the~~
21 ~~plan, individuals and Department staff shall work together to~~
22 ~~identify any supportive service needs required to enable the~~
23 ~~client to participate and meet the objectives of his or her~~
24 ~~employability plan. The assessment may be conducted through~~
25 ~~various methods such as interviews, testing, counseling, and~~
26 ~~self assessment instruments. In the assessment process, the~~

1 ~~Department shall offer to include standard literacy testing~~
2 ~~and a determination of English language proficiency and shall~~
3 ~~provide it for those who accept the offer. Based on the~~
4 ~~assessment, the individual will be assigned to the appropriate~~
5 ~~activity. The decision will be based on a determination of the~~
6 ~~individual's level of preparation for employment as defined by~~
7 ~~rule.~~

8 ~~(e) Recipients determined to be exempt may volunteer to~~
9 ~~participate pursuant to Section 9A-4 and must be assessed.~~

10 ~~(f) As part of the personal plan for achieving employment~~
11 ~~and self-sufficiency under Section 4-1, an employability plan~~
12 ~~for recipients shall be developed in consultation with the~~
13 ~~participant. The Department shall have final responsibility~~
14 ~~for approving the employability plan. The employability plan~~
15 ~~shall:~~

16 ~~(1) contain an employment goal of the participant;~~

17 ~~(2) describe the services to be provided by the~~
18 ~~Department, including child care and other support~~
19 ~~services;~~

20 ~~(3) describe the activities, such as component~~
21 ~~assignment, that will be undertaken by the participant to~~
22 ~~achieve the employment goal. The Department shall treat~~
23 ~~participation in high school and high school equivalency~~
24 ~~programs as a core activity and count participation in~~
25 ~~high school and high school equivalency programs toward~~
26 ~~the first 20 hours per week of participation. The~~

1 ~~Department shall approve participation in high school or~~
2 ~~high school equivalency programs upon written or oral~~
3 ~~request of the participant if he or she has not already~~
4 ~~earned a high school diploma or a State of Illinois High~~
5 ~~School Diploma. However, participation in high school or~~
6 ~~high school equivalency programs may be delayed as part of~~
7 ~~an applicant's or recipient's personal plan for achieving~~
8 ~~employment and self sufficiency if it is determined that~~
9 ~~the benefit from participating in another activity, such~~
10 ~~as, but not limited to, treatment for a substance use~~
11 ~~disorder or an English proficiency program, would be~~
12 ~~greater to the applicant or recipient than participation~~
13 ~~in high school or a high school equivalency program. The~~
14 ~~availability of high school and high school equivalency~~
15 ~~programs may also delay enrollment in those programs. The~~
16 ~~Department shall treat such activities as a core activity~~
17 ~~as long as satisfactory progress is made, as determined by~~
18 ~~the high school or high school equivalency program. Proof~~
19 ~~of satisfactory progress shall be provided by the~~
20 ~~participant or the school at the end of each academic~~
21 ~~term; and~~

22 ~~(4) describe any other needs of the family that might~~
23 ~~be met by the Department.~~

24 ~~(g) The employability plan shall take into account:~~

25 ~~(1) available program resources;~~

26 ~~(2) the participant's support service needs;~~

- 1 ~~(3) the participant's skills level and aptitudes;~~
2 ~~(4) local employment opportunities; and~~
3 ~~(5) the preferences of the participant.~~

4 ~~(h) A reassessment shall be conducted to assess a~~
5 ~~participant's progress and to review the employability plan on~~
6 ~~the following occasions:~~

- 7 ~~(1) upon completion of an activity and before~~
8 ~~assignment to an activity;~~
9 ~~(2) upon the request of the participant;~~
10 ~~(3) if the individual is not cooperating with the~~
11 ~~requirements of the program; and~~
12 ~~(4) if the individual has failed to make satisfactory~~
13 ~~progress in an education or training program.~~

14 ~~Based on the reassessment, the Department may revise the~~
15 ~~employability plan of the participant.~~

16 (Source: P.A. 102-1100, eff. 1-1-23.)

17 (305 ILCS 5/9A-8.1)

18 Sec. 9A-8.1. Improvement of information to applicants and
19 recipients. The Illinois Department shall annually review all
20 procedures and written materials that it has in place for
21 purposes of compliance with subsection (a) of Section 9A-8 and
22 Section 11-20.1 requiring the Illinois Department to provide
23 full and timely information to applicants and recipients of
24 cash assistance ~~aid~~ under Article IV of this Code about their
25 opportunities and ~~7~~ rights ~~and responsibilities~~ under the CASH

1 ~~Temporary Assistance for Needy Families~~ program and related
2 programs and services administered under this Article. ~~As part~~
3 ~~of this annual review, the Illinois Department shall provide~~
4 ~~copies of all procedures and materials to the Family Self~~
5 ~~Sufficiency Advisory Council or any successor advisory body~~
6 ~~containing a similar number and assortment of advocates,~~
7 ~~providers, contractors, clients, and citizens. The Family Self~~
8 ~~Sufficiency Advisory Council or successor advisory body shall~~
9 ~~review the existing procedures and materials in light of~~
10 ~~program rules, recent changes in the law or rules, and~~
11 ~~experience in the field, and it shall suggest changes to the~~
12 ~~Illinois Department. The Illinois Department shall produce new~~
13 ~~or revised procedures and materials, or ratify the existing~~
14 ~~ones, for use beginning each October 1. If the Illinois~~
15 ~~Department rejects changes suggested by the Family Self~~
16 ~~Sufficiency Advisory Council, it shall explain the reasons in~~
17 ~~a written response.~~

18 (Source: P.A. 91-331, eff. 7-29-99.)

19 (305 ILCS 5/9A-9) (from Ch. 23, par. 9A-9)

20 Sec. 9A-9. Program Activities. The Department shall
21 establish education, training and placement activities by
22 rule. Not all of the same activities need be provided in each
23 county in the State. Such activities may include the
24 following:

25 (a) Education (Below post secondary). In the Education

1 (below post secondary) activity, the individual receives
2 information, referral, counseling services and support
3 services to increase the individual's employment potential.
4 Participants may be referred to testing, counseling and
5 education resources. Educational activities will include basic
6 and remedial education; English proficiency classes; high
7 school or its equivalency or alternative education at the
8 secondary level; and with any educational program, structured
9 study time to enhance successful participation. ~~An~~
10 ~~individual's participation in an education program such as~~
11 ~~literacy, basic adult education, high school equivalency, or a~~
12 ~~remedial program shall be limited to 2 years unless the~~
13 ~~individual also is working or participating in a work activity~~
14 ~~approved by the Illinois Department as defined by rule; this~~
15 ~~requirement does not apply, however, to students enrolled in~~
16 ~~high school.~~

17 (b) Job Skills Training (Vocational). Job Skills Training
18 is designed to increase the individual's ability to obtain and
19 maintain employment. Job Skills Training activities will
20 include vocational skill classes designed to increase a
21 participant's ability to obtain and maintain employment. Job
22 Skills Training may include certificate programs.

23 (c) Job Readiness. The job readiness activity is designed
24 to enhance the quality of the individual's level of
25 participation in the world of work while learning the
26 necessary essentials to obtain and maintain employment. This

1 activity helps individuals gain the necessary job finding
2 skills to help them find and retain employment that will lead
3 to economic independence.

4 (d) Job Search. Job Search may be conducted individually
5 or in groups. Job Search includes the provision of counseling,
6 job seeking skills training and information dissemination.
7 Group job search may include training in a group session.
8 ~~Assignment exclusively to job search cannot be in excess of 8~~
9 ~~consecutive weeks (or its equivalent) in any period of 12~~
10 ~~consecutive months.~~

11 ~~(e) Work Experience. Work Experience assignments may be~~
12 ~~with private employers or not for profit or public agencies in~~
13 ~~the State. The Illinois Department shall provide workers'~~
14 ~~compensation coverage. Participants who are not members of a~~
15 ~~2-parent assistance unit may not be assigned more hours than~~
16 ~~their cash grant amount plus food stamps divided by the~~
17 ~~minimum wage. Private employers and not for profit and public~~
18 ~~agencies shall not use Work Experience participants to~~
19 ~~displace regular employees. Participants in Work Experience~~
20 ~~may perform work in the public interest (which otherwise meets~~
21 ~~the requirements of this Section) for a federal office or~~
22 ~~agency with its consent, and notwithstanding the provisions of~~
23 ~~31 U.S.C. 1342, or any other provision of law, such agency may~~
24 ~~accept such services, but participants shall not be considered~~
25 ~~federal employees for any purpose. A participant shall be~~
26 ~~reassessed at the end of assignment to Work Experience. The~~

1 ~~participant may be reassigned to Work Experience or assigned~~
2 ~~to another activity, based on the reassessment.~~

3 ~~(f) On the Job Training. In On the Job Training, a~~
4 ~~participant is hired by a private or public employer and while~~
5 ~~engaged in productive work receives training that provides~~
6 ~~knowledge or skills essential to full and adequate performance~~
7 ~~of the job.~~

8 (e) ~~(g)~~ Work Supplementation. In work supplementation, the
9 Department pays a wage subsidy to an employer who hires a
10 participant to work for a wage. In addition to wages through
11 work supplementation, the participant shall continue to
12 receive their cash assistance for the remainder of the
13 assistance units certification period as set forth in Section
14 4-2.2. The cash grant which a participant would receive if not
15 employed is diverted and the diverted cash grant is used to pay
16 the wage subsidy.

17 (f) ~~(h)~~ Post Secondary Education. Post secondary education
18 must be administered by an educational institution accredited
19 under requirements of State law.

20 (g) ~~(i)~~ Self Initiated Education. Participants who are
21 attending an institution of higher education or a vocational
22 or technical program of their own choosing and who are in good
23 standing, may continue to attend and receive supportive
24 services ~~only if the educational program is approved by the~~
25 ~~Department, and is in conformity with the participant's~~
26 ~~personal plan for achieving employment and self sufficiency~~

1 ~~and the participant is employed part time, as defined by the~~
2 ~~Illinois Department by rule.~~

3 (h) ~~(j)~~ Job Development and Placement. Department staff
4 shall develop through contacts with public and private
5 employers unsubsidized job openings for participants. Job
6 interviews will be secured for clients by the marketing of
7 participants for specific job openings. For recipients
8 volunteering to participate with job development and placement
9 services offered by the Department, the Department may conduct
10 an individualized assessment of the participant's
11 employability to determine the job readiness of the recipient.
12 The assessment and the factors the Department will use to
13 determine the individual's level of preparation for
14 employment, shall be defined by rule. Job ready individuals
15 may be assigned to Job Development and Placement.

16 (i) ~~(k)~~ Job Retention. The job retention component is
17 designed to assist participants in retaining employment.
18 Initial employment expenses and job retention services are
19 provided. The individual's support service needs are assessed
20 and the individual receives counseling regarding job retention
21 skills.

22 ~~(l) (Blank).~~

23 (j) ~~(l-5)~~ Transitional Jobs. These programs provide
24 temporary wage-paying work combined with case management and
25 other social services designed to address employment barriers.
26 The wage-paying work is treated as regular employment for all

1 purposes under this Code, ~~and the additional activities, as~~
2 ~~determined by the Transitional Jobs provider, shall be~~
3 ~~countable work activities.~~ The program must comply with the
4 anti-displacement provisions of this Code governing the Work
5 Experience program.

6 ~~(m) Pay after performance Program. A parent may be~~
7 ~~required to participate in a pay after performance program in~~
8 ~~which the parent must work a specified number of hours to earn~~
9 ~~the grant. The program shall comply with provisions of this~~
10 ~~Code governing work experience programs.~~

11 ~~(n) Community Service. Community service includes unpaid~~
12 ~~work that the client performs in his or her community, such as~~
13 ~~for a school, church, government agency, or nonprofit~~
14 ~~organization.~~

15 (Source: P.A. 98-718, eff. 1-1-15.)

16 (305 ILCS 5/9A-10) (from Ch. 23, par. 9A-10)

17 Sec. 9A-10. Support Services.

18 (a) The Illinois Department shall provide or pay for child
19 care and other support services, if otherwise unavailable, to
20 enable recipients to participate in or prepare for education,
21 training and employment programs authorized under this
22 Article. The Illinois Department shall provide and pay for
23 such support services in accordance with procedures, standards
24 and rates established by rule.

25 (b) Support services may include:

- 1 (1) transportation;
- 2 (2) child care;
- 3 (3) job search allowance;
- 4 (4) initial employment expenses;
- 5 (5) required books, fees, supplies; and
- 6 (6) required physical examinations and medical
- 7 services.

8 (c) Participation shall not be required to receive cash
9 assistance under Article IV. ~~if support services are needed~~
10 ~~for effective participation but unavailable from the~~
11 ~~Department or some other reasonably available source.~~ Support
12 services shall be made available to the participant at no
13 cost.

14 (Source: P.A. 86-1184; 86-1381; 87-860.)

15 (305 ILCS 5/9A-11) (from Ch. 23, par. 9A-11)

16 Sec. 9A-11. Child care.

17 (a) The General Assembly recognizes that families with
18 children need child care in order to work. Child care is
19 expensive and families with limited access to economic
20 resources, ~~including those who are transitioning from welfare~~
21 ~~to work,~~ often struggle to pay the costs of day care. The
22 General Assembly understands the importance of helping working
23 families with limited access to economic resources meet their
24 basic needs. ~~become and remain self-sufficient.~~ The General
25 Assembly also believes that it is the responsibility of

1 families to share in the costs of child care. It is also the
2 preference of the General Assembly that all working families
3 with limited access to economic resources should be treated
4 equally, regardless of their welfare status.

5 (b) To the extent resources permit, the Illinois
6 Department shall provide child care services to parents or
7 other relatives as defined by rule who are working or
8 participating in employment or Department approved education
9 or training programs. At a minimum, the Illinois Department
10 shall cover the following categories of families:

11 (1) recipients of CASH ~~TANF~~ under Article IV who are
12 working or voluntarily participating in work and training
13 activities as specified in Section 9A-9 ~~the personal plan~~
14 ~~for employment and self-sufficiency;~~

15 ~~(2) families transitioning from TANF to work;~~

16 (2) ~~(3)~~ families at risk of becoming recipients of
17 CASH ~~TANF~~;

18 (3) ~~(4)~~ families with special needs as defined by
19 rule;

20 (4) ~~(5)~~ working families with very low incomes as
21 defined by rule;

22 (5) ~~(6)~~ families that are not recipients of CASH ~~TANF~~
23 and that need child care assistance to participate in
24 education and training activities;

25 (6) ~~(7)~~ youth in care, as defined in Section 4d of the
26 Children and Family Services Act, who are parents,

1 regardless of income or whether they are working or
2 participating in Department-approved employment or
3 education or training programs. Any family that receives
4 child care assistance in accordance with this paragraph
5 shall receive one additional 12-month child care
6 eligibility period after the parenting youth in care's
7 case with the Department of Children and Family Services
8 is closed, regardless of income or whether the parenting
9 youth in care is working or participating in
10 Department-approved employment or education or training
11 programs;

12 (7) ~~(8)~~ families receiving Extended Family Support
13 Program services from the Department of Children and
14 Family Services, regardless of income or whether they are
15 working or participating in Department-approved employment
16 or education or training programs; and

17 (8) ~~(9)~~ families with children under the age of 5 who
18 have an open intact family services case with the
19 Department of Children and Family Services. Any family
20 that receives child care assistance in accordance with
21 this paragraph shall remain eligible for child care
22 assistance 6 months after the child's intact family
23 services case is closed, regardless of whether the child's
24 parents or other relatives as defined by rule are working
25 or participating in Department approved employment or
26 education or training programs. The Department of Early

1 Childhood, in consultation with the Department of Children
2 and Family Services, shall adopt rules to protect the
3 privacy of families who are the subject of an open intact
4 family services case when such families enroll in child
5 care services. Additional rules shall be adopted to offer
6 children who have an open intact family services case the
7 opportunity to receive an Early Intervention screening and
8 other services that their families may be eligible for as
9 provided by the Department of Human Services.

10 Beginning October 1, 2027, and every October 1 thereafter,
11 the Department of Children and Family Services shall report to
12 the General Assembly on the number of children who received
13 child care via vouchers paid for by the Department of Early
14 Childhood during the preceding fiscal year. The report shall
15 include the ages of children who received child care, the type
16 of child care they received, and the number of months they
17 received child care.

18 The Department shall specify by rule the conditions of
19 eligibility, the application process, and the types, amounts,
20 and duration of services. Eligibility for child care benefits
21 and the amount of child care provided may vary based on family
22 size, income, and other factors as specified by rule.

23 The Department shall update the Child Care Assistance
24 Program Eligibility Calculator posted on its website to
25 include a question on whether a family is applying for child
26 care assistance for the first time or is applying for a

1 redetermination of eligibility.

2 A family's eligibility for child care services shall be
3 redetermined no sooner than 12 months following the initial
4 determination or most recent redetermination. During the
5 12-month periods, the family shall remain eligible for child
6 care services regardless of (i) a change in family income,
7 unless family income exceeds 85% of State median income, or
8 (ii) a temporary change in the ongoing status of the parents or
9 other relatives, as defined by rule, as working or attending a
10 job training or educational program.

11 In determining income eligibility for child care benefits,
12 the Department annually, at the beginning of each fiscal year,
13 shall establish, by rule, one income threshold for each family
14 size, in relation to percentage of State median income for a
15 family of that size, that makes families with incomes below
16 the specified threshold eligible for assistance and families
17 with incomes above the specified threshold ineligible for
18 assistance. Through and including fiscal year 2007, the
19 specified threshold must be no less than 50% of the
20 then-current State median income for each family size.
21 Beginning in fiscal year 2008, the specified threshold must be
22 no less than 185% of the then-current federal poverty level
23 for each family size. Notwithstanding any other provision of
24 law or administrative rule to the contrary, beginning in
25 fiscal year 2019, the specified threshold for working families
26 with very low incomes as defined by rule must be no less than

1 185% of the then-current federal poverty level for each family
2 size. Notwithstanding any other provision of law or
3 administrative rule to the contrary, beginning in State fiscal
4 year 2022 through State fiscal year 2023, the specified income
5 threshold shall be no less than 200% of the then-current
6 federal poverty level for each family size. Beginning in State
7 fiscal year 2024, the specified income threshold shall be no
8 less than 225% of the then-current federal poverty level for
9 each family size.

10 In determining eligibility for assistance, the Department
11 shall not give preference to any category of recipients or
12 give preference to individuals based on their receipt of
13 benefits under this Code.

14 Nothing in this Section shall be construed as conferring
15 entitlement status to eligible families.

16 The Illinois Department is authorized to lower income
17 eligibility ceilings, raise parent co-payments, create waiting
18 lists, or take such other actions during a fiscal year as are
19 necessary to ensure that child care benefits paid under this
20 Article do not exceed the amounts appropriated for those child
21 care benefits. These changes may be accomplished by emergency
22 rule under Section 5-45 of the Illinois Administrative
23 Procedure Act, except that the limitation on the number of
24 emergency rules that may be adopted in a 24-month period shall
25 not apply.

26 The Illinois Department may contract with other State

1 agencies or child care organizations for the administration of
2 child care services.

3 (c) Payment shall be made for child care that otherwise
4 meets the requirements of this Section and applicable
5 standards of State and local law and regulation, including any
6 requirements the Illinois Department promulgates by rule.
7 Through June 30, 2026, the rules of this Section include
8 licensure requirements adopted by the Department of Children
9 and Family Services. On and after July 1, 2026, the rules of
10 this Section include licensure requirements adopted by the
11 Department of Early Childhood. In addition, the regulations of
12 this Section include the Fire Prevention and Safety
13 requirements promulgated by the Office of the State Fire
14 Marshal, and is provided in any of the following:

15 (1) a child care center which is licensed or exempt
16 from licensure pursuant to Section 2.09 of the Child Care
17 Act of 1969;

18 (2) a licensed child care home or home exempt from
19 licensing;

20 (3) a licensed group child care home;

21 (4) other types of child care, including child care
22 provided by relatives or persons living in the same home
23 as the child, as determined by the Illinois Department by
24 rule.

25 (c-5) Solely for the purposes of coverage under the
26 Illinois Public Labor Relations Act, child and day care home

1 providers, including licensed and license exempt,
2 participating in the Department's child care assistance
3 program shall be considered to be public employees and the
4 State of Illinois shall be considered to be their employer as
5 of January 1, 2006 (the effective date of Public Act 94-320),
6 but not before. The State shall engage in collective
7 bargaining with an exclusive representative of child and day
8 care home providers participating in the child care assistance
9 program concerning their terms and conditions of employment
10 that are within the State's control. Nothing in this
11 subsection shall be understood to limit the right of families
12 receiving services defined in this Section to select child and
13 day care home providers or supervise them within the limits of
14 this Section. The State shall not be considered to be the
15 employer of child and day care home providers for any purposes
16 not specifically provided in Public Act 94-320, including, but
17 not limited to, purposes of vicarious liability in tort and
18 purposes of statutory retirement or health insurance benefits.
19 Child and day care home providers shall not be covered by the
20 State Employees Group Insurance Act of 1971.

21 In according child and day care home providers and their
22 selected representative rights under the Illinois Public Labor
23 Relations Act, the State intends that the State action
24 exemption to application of federal and State antitrust laws
25 be fully available to the extent that their activities are
26 authorized by Public Act 94-320.

1 (d) The Illinois Department shall establish, by rule, a
2 co-payment scale that provides for cost sharing by families
3 that receive child care services, including parents whose only
4 income is from assistance under this Code. The co-payment
5 shall be based on family income and family size and may be
6 based on other factors as appropriate. Co-payments may be
7 waived for families whose incomes are at or below the federal
8 poverty level.

9 (d-5) The Illinois Department, in consultation with its
10 Child Care and Development Advisory Council, shall develop a
11 plan to revise the child care assistance program's co-payment
12 scale. The plan shall be completed no later than February 1,
13 2008, and shall include:

14 (1) findings as to the percentage of income that the
15 average American family spends on child care and the
16 relative amounts that low-income families and the average
17 American family spend on other necessities of life;

18 (2) recommendations for revising the child care
19 co-payment scale to assure that families receiving child
20 care services from the Department are paying no more than
21 they can reasonably afford;

22 (3) recommendations for revising the child care
23 co-payment scale to provide at-risk children with complete
24 access to Preschool for All and Head Start; and

25 (4) recommendations for changes in child care program
26 policies that affect the affordability of child care.

1 (e) (Blank).

2 (f) The Illinois Department shall, by rule, set rates to
3 be paid for the various types of child care. Child care may be
4 provided through one of the following methods:

5 (1) arranging the child care through eligible
6 providers by use of purchase of service contracts or
7 vouchers;

8 (2) arranging with other agencies and community
9 volunteer groups for non-reimbursed child care;

10 (3) (blank); or

11 (4) adopting such other arrangements as the Department
12 determines appropriate.

13 (f-1) Within 30 days after June 4, 2018 (the effective
14 date of Public Act 100-587), the Department of Human Services
15 shall establish rates for child care providers that are no
16 less than the rates in effect on January 1, 2018 increased by
17 4.26%.

18 (f-5) (Blank).

19 (g) Families eligible for assistance under this Section
20 shall be given the following options:

21 (1) receiving a child care certificate issued by the
22 Department or a subcontractor of the Department that may
23 be used by the parents as payment for child care and
24 development services only; or

25 (2) if space is available, enrolling the child with a
26 child care provider that has a purchase of service

1 contract with the Department or a subcontractor of the
2 Department for the provision of child care and development
3 services. The Department may identify particular priority
4 populations for whom they may request special
5 consideration by a provider with purchase of service
6 contracts, provided that the providers shall be permitted
7 to maintain a balance of clients in terms of household
8 incomes and families and children with special needs, as
9 defined by rule.

10 (Source: P.A. 102-491, eff. 8-20-21; 102-813, eff. 5-13-22;
11 102-926, eff. 5-27-22; 103-8, eff. 6-7-23; 103-594, eff.
12 6-25-24.)

13 (305 ILCS 5/9A-13)

14 Sec. 9A-13. Work activity; anti-displacement provisions.

15 (a) As used in this Section "work activity" means any
16 ~~workfare, earnfare, pay after performance,~~
17 ~~work off the grant, work supplementation experience,~~ or other
18 activity under Section 9A-9 or any other Section of this Code
19 in which a recipient of public assistance performs work as a
20 part of the education, training and employment program offered
21 by the Department, for any employer as a condition of
22 ~~receiving the public assistance, and the employer does not pay~~
23 ~~wages for the work; or as any grant diversion, wage~~
24 ~~supplementation,~~ or similar program in which the Department
25 provides public assistance grant is provided to the employer

1 with ~~as~~ a subsidy for placement of ~~the wages of~~ any recipient
2 in its workforce.

3 (b) An employer may not utilize a work activity
4 participant if such utilization would result in:

5 (1) the displacement or partial displacement of
6 current employees, including but not limited to a
7 reduction in hours of non-overtime or overtime work,
8 wages, or employment benefits; or

9 (2) the filling of a position that would otherwise be
10 a promotional opportunity for current employees; or

11 (3) the filling of a position created by or causing
12 termination, layoff, a hiring freeze, or a reduction in
13 the workforce; or

14 (4) the placement of a participant in any established
15 unfilled vacancy; or

16 (5) the performance of work by a participant if there
17 is a strike, lockout, or other labor dispute in which the
18 employer is engaged.

19 (c) An employer who wishes to utilize work activity
20 participants shall, at least 15 days prior to utilizing such
21 participants, notify the labor organization of the name, work
22 location, and the duties to be performed by the participant.

23 (d) The Department of Human Services shall establish a
24 grievance procedure for employees and labor organizations to
25 utilize in the event of any alleged violation of this Section.
26 Notwithstanding the above, a labor organization may utilize

1 the established grievance or arbitration procedure in its
2 collective bargaining agreement to contest violations of this
3 Section.

4 (Source: P.A. 92-111, eff. 1-1-02.)

5 (305 ILCS 5/9A-15)

6 Sec. 9A-15. College education assistance; pilot program.

7 (a) Subject to appropriation, the Department of Human
8 Services shall establish a pilot program to provide recipients
9 of assistance under Article IV with additional assistance in
10 obtaining a post-secondary education degree ~~to the extent~~
11 ~~permitted by the federal law governing the Temporary~~
12 ~~Assistance for Needy Families Program.~~ This assistance may
13 include, but is not limited to, moneys for the payment of
14 tuition, but the Department may not use any moneys
15 appropriated for payment of cash assistance ~~the Temporary~~
16 ~~Assistance for Needy Families Program (TANF)~~ under Article IV
17 to pay for tuition under the pilot program. ~~In addition to~~
18 ~~criteria, standards, and procedures related to post secondary~~
19 ~~education required by rules applicable to the TANF program,~~
20 ~~the Department shall provide that the time that a pilot~~
21 ~~program participant spends in post-secondary classes shall~~
22 ~~apply toward the time that the recipient is required to spend~~
23 ~~in education, placement, and training activities under this~~
24 ~~Article.~~

25 The Department shall define the pilot program by rule,

1 including a determination of its duration and scope, the
2 nature of the assistance to be provided, and the criteria,
3 standards, and procedures for participation.

4 (b) The Department shall enter into an interagency
5 agreement with the Illinois Student Assistance Commission for
6 the administration of the pilot program.

7 (c) The Department shall evaluate the pilot program and
8 report its findings and recommendations after 2 years of its
9 operation to the Governor and the General Assembly, including
10 proposed rules to modify or extend the pilot program beyond
11 the scope and schedule upon which it was originally
12 established.

13 (Source: P.A. 94-371, eff. 1-1-06; 95-331, eff. 8-21-07.)

14 (305 ILCS 5/10-1) (from Ch. 23, par. 10-1)

15 Sec. 10-1. Declaration of public policy; persons eligible
16 for child support enforcement services; fees for
17 non-applicants and non-recipients. It is the intent of this
18 Code that the financial aid and social welfare services herein
19 provided supplement rather than supplant the primary and
20 continuing obligation of the family unit for self-support to
21 the fullest extent permitted by the resources available to it.
22 This primary and continuing obligation applies whether the
23 family unit of parents and children or of husband and wife
24 remains intact and resides in a common household or whether
25 the unit has been broken by absence of one or more members of

1 the unit. The obligation of the family unit is particularly
2 applicable when a member is in necessitous circumstances and
3 lacks the means of a livelihood compatible with health and
4 well-being.

5 It is the purpose of this Article to provide for locating
6 an absent parent or spouse, for determining his financial
7 circumstances, and for enforcing his legal obligation of
8 support, if he is able to furnish support, in whole or in part.
9 The Department of Healthcare and Family Services shall give
10 priority to establishing, enforcing, and collecting the
11 current support obligation, and then to past due support owed
12 to the family unit, except with respect to collections
13 effected through the intercept programs provided for in this
14 Article. The establishment or enforcement actions provided in
15 this Article do not require a previous court order for
16 custody/allocation of parental responsibilities.

17 The child support enforcement services provided hereunder
18 shall be furnished dependents of an absent parent or spouse
19 who are applicants for or recipients of financial aid under
20 this Code. However, participation in or cooperation with child
21 support enforcement services under this Article shall not be a
22 condition of eligibility for receipt of CASH under Article IV.
23 In addition, it ~~It~~ is not, ~~however,~~ a condition of eligibility
24 for financial aid that there be no responsible relatives who
25 are reasonably able to provide support. Nor, except as
26 provided in Section ~~Sections 4-1.7~~ and 10-8, shall the

1 existence of such relatives or their payment of support
2 contributions disqualify a needy person for financial aid.

3 By accepting financial aid under this Code, a spouse or a
4 parent or other person having physical or legal custody of a
5 child shall be deemed to have made assignment to the Illinois
6 Department for aid under Articles III, ~~IV~~, V, and VII or to a
7 local governmental unit for aid under Article VI of any and all
8 rights, title, and interest in any support obligation,
9 including statutory interest thereon, up to the amount of
10 financial aid provided. The rights to support assigned to the
11 Department of Healthcare and Family Services (formerly
12 Illinois Department of Public Aid) or local governmental unit
13 shall constitute an obligation owed the State or local
14 governmental unit by the person who is responsible for
15 providing the support, and shall be collectible under all
16 applicable processes.

17 The Department of Healthcare and Family Services shall
18 also furnish the child support enforcement services
19 established under this Article in behalf of persons who are
20 not applicants for or recipients of financial aid under this
21 Code in accordance with the requirements of Title IV, Part D of
22 the Social Security Act. The Department may establish a
23 schedule of reasonable fees, to be paid for the services
24 provided and may deduct a collection fee, not to exceed 10% of
25 the amount collected, from such collection. The Department of
26 Healthcare and Family Services shall cause to be published and

1 distributed publications reasonably calculated to inform the
2 public that individuals who are not recipients of or
3 applicants for public aid under this Code are eligible for the
4 child support enforcement services under this Article X. Such
5 publications shall set forth an explanation, in plain
6 language, that the child support enforcement services program
7 is independent of any public aid program under the Code and
8 that the receiving of child support enforcement services in no
9 way implies that the person receiving such services is
10 receiving public aid.

11 (Source: P.A. 102-541, eff. 8-20-21; 102-813, eff. 5-13-22.)

12 (305 ILCS 5/10-2) (from Ch. 23, par. 10-2)

13 Sec. 10-2. Extent of liability. A husband is liable for
14 the support of his wife and a wife for the support of her
15 husband. Unless the child is otherwise emancipated, the
16 parents are severally liable for the support of any child
17 under age 18, and for any child aged 18 who is attending high
18 school, until that child graduates from high school, or
19 attains the age of 19, whichever is earlier. The term "child"
20 includes a child born out of wedlock, or legally adopted
21 child.

22 The liability for the support of a child provided for in
23 this Article does not require a previous court order for
24 custody and is in conjunction with the guidelines set forth in
25 Section 505 of the Illinois Marriage and Dissolution of

1 Marriage Act, as provided for in Section 10-10 of this
2 Article. The obligation to support contained in this Article
3 is concurrent to any other appropriate State law.

4 This Article does not create, enlarge, abrogate, or
5 diminish parental rights or duties under other laws of this
6 State, including the common law.

7 An action to establish or enforce a support obligation,
8 under this or any other Act providing for the support of a
9 child, may be brought subsequent to an adjudication dismissing
10 that action based on any of the following reasons: (1) no duty
11 of support exists under this Article because this Article
12 requires a previous court order for custody/allocation of
13 parental responsibilities (as no such requirement exists under
14 this Act); (2) there is no common law duty of support (as a
15 common law duty of support is recognized as a valid basis for
16 child support); or (3) there is no duty of support under the
17 Illinois Parentage Act of 2015 because a judgment of paternity
18 results in a de facto custody/allocation of parental
19 responsibilities order (as this ignores the cumulative nature
20 of the Act and the plain language of the statute permitting an
21 explicit reservation of the issue. The Illinois Parentage Act
22 of 2015 will be clarified regarding a de facto
23 custody/allocation of parental responsibilities order as it
24 relates to the Uniform Interstate Family Support Act).

25 In addition to the primary obligation of support imposed
26 upon responsible relatives, such relatives, if individually or

1 together in any combination they have sufficient income or
2 other resources to support a needy person, in whole or in part,
3 shall be liable for any financial aid, except cash assistance
4 provided under Article IV, extended under this Code to a
5 person for whose support they are responsible, including
6 amounts expended for funeral and burial costs.

7 (Source: P.A. 102-541, eff. 8-20-21.)

8 (305 ILCS 5/10-3) (from Ch. 23, par. 10-3)

9 Sec. 10-3. Standard and Regulations for Determining
10 Ability to Support. The Illinois Department shall establish a
11 standard by which shall be measured the ability of responsible
12 relatives to provide support, and shall implement the standard
13 by rules governing its application. The standard and the rules
14 shall take into account the buying and consumption patterns of
15 self-supporting persons of modest income, present or future
16 contingencies having direct bearing on maintenance of the
17 relative's self-support status and fulfillment of his
18 obligations to his immediate family, and any unusual or
19 exceptional circumstances including estrangement or other
20 personal or social factors, that have a bearing on family
21 relationships and the relative's ability to meet his support
22 obligations. The standard shall be recomputed periodically to
23 reflect changes in the cost of living and other pertinent
24 factors.

25 In addition to the standard, the Illinois Department may

1 establish guidelines to be used exclusively to measure the
2 ability of responsible relatives to provide support on behalf
3 of ~~applicants for or recipients of financial aid under Article~~
4 ~~IV of this Act and other~~ persons who are given access to the
5 child support enforcement services of this Article as provided
6 in Section 10-1. In such case, the Illinois Department shall
7 base the guidelines upon the applicable provisions of Sections
8 504, 505 and 505.2 of the Illinois Marriage and Dissolution of
9 Marriage Act, as amended, and shall implement such guidelines
10 by rules governing their application.

11 The term "administrative enforcement unit", when used in
12 this Article, means local governmental units or the Child and
13 Spouse Support Unit established under Section 10-3.1 when
14 exercising the powers designated in this Article. The
15 administrative enforcement unit shall apply the standard or
16 guidelines, rules and procedures provided for by this Section
17 and Sections 10-4 through 10-8 in determining the ability of
18 responsible relatives to provide support for applicants for or
19 recipients of financial aid under this Code, except that the
20 administrative enforcement unit may apply such standard or
21 guidelines, rules and procedures at its discretion with
22 respect to ~~those applicants for or recipients of financial aid~~
23 ~~under Article IV and other~~ persons who are given access to the
24 child support enforcement services of this Article as provided
25 by Section 10-1.

26 (Source: P.A. 92-590, eff. 7-1-02; 92-651, eff. 7-11-02.)

1 (305 ILCS 5/10-4) (from Ch. 23, par. 10-4)

2 Sec. 10-4. Notification of Support Obligation. The
3 administrative enforcement unit within the authorized area of
4 its operation shall notify each responsible relative of an
5 applicant or recipient, or responsible relatives of other
6 persons given access to the child support enforcement services
7 of this Article, of his legal obligation to support and shall
8 request such information concerning his financial status as
9 may be necessary to determine whether he is financially able
10 to provide such support, in whole or in part. In cases
11 involving a child born out of wedlock, the notification shall
12 include a statement that the responsible relative has been
13 named as the biological father of the child identified in the
14 notification.

15 In the case of applicants, the notification shall be sent
16 as soon as practical after the filing of the application. In
17 the case of recipients, the notice shall be sent at such time
18 as may be established by rule of the Illinois Department.

19 The notice shall be accompanied by the forms or
20 questionnaires provided in Section 10-5. It shall inform the
21 relative that he may be liable for reimbursement of any
22 support furnished from public aid funds, except those provided
23 under Article IV, prior to determination of the relative's
24 financial circumstances, as well as for future support. In the
25 alternative, when support is sought on behalf of ~~applicants~~

1 ~~for or recipients of financial aid under Article IV of this~~
2 ~~Code and other~~ persons who are given access to the child
3 support enforcement services of this Article as provided in
4 Section 10-1, the notice shall inform the relative that the
5 relative may be required to pay support for a period before the
6 date an administrative support order is entered, as well as
7 future support.

8 Neither the mailing nor receipt of such notice shall be
9 deemed a jurisdictional requirement for the subsequent
10 exercise of the investigative procedures undertaken by an
11 administrative enforcement unit or the entry of any order or
12 determination of paternity or support or reimbursement by the
13 administrative enforcement unit; except that notice shall be
14 served by certified mail addressed to the responsible relative
15 at his or her last known address, return receipt requested, or
16 by a person who is licensed or registered as a private
17 detective under the Private Detective, Private Alarm, Private
18 Security, Fingerprint Vendor, and Locksmith Act of 2004 or by
19 a registered employee of a private detective agency certified
20 under that Act, or in counties with a population of less than
21 2,000,000 by any method provided by law for service of
22 summons, in cases where a determination of paternity or
23 support by default is sought on behalf of ~~applicants for or~~
24 ~~recipients of financial aid under Article IV of this Act and~~
25 ~~other~~ persons who are given access to the child support
26 enforcement services of this Article as provided in Section

1 10-1.

2 (Source: P.A. 94-92, eff. 6-30-05; 95-613, eff. 9-11-07.)

3 (305 ILCS 5/10-7) (from Ch. 23, par. 10-7)

4 Sec. 10-7. Notice of support due.

5 (a) When an administrative enforcement unit has determined
6 that a responsible relative is financially able to contribute
7 to the support of an applicant or recipient, the responsible
8 relative shall be notified by mailing him a copy of the
9 determination by United States registered or certified mail,
10 advising him of his legal obligation to make support payments
11 for such period or periods of time, definite in duration or
12 indefinite, as the circumstances require. The notice shall
13 direct payment as provided in Section 10-8. Where applicable,
14 the determination and notice may include a demand for
15 reimbursement for emergency aid granted an applicant or
16 recipient during the period between the application and
17 determination of the relative's obligation for support and for
18 aid granted during any subsequent period the responsible
19 relative was financially able to provide support but failed or
20 refused to do so.

21 (b) In the alternative, when support is sought on behalf
22 of ~~applicants for or recipients of financial aid under Article~~
23 ~~IV of this Act and other~~ persons who are given access to the
24 child support enforcement services of this Article as provided
25 in Section 10-1, the administrative enforcement unit shall not

1 be required to send the notice and may enter an administrative
2 order immediately under the provisions of Section 10-11. The
3 order shall be based upon the determination made under the
4 provisions of Section 10-6 or, in instances of default, upon
5 the needs of the persons for whom support is sought. In
6 addition to requiring payment of future support, the
7 administrative order may require payment of support for a
8 period before the date the order is entered. The amount of
9 support to be paid for the prior period shall be determined
10 under the guidelines established by the Illinois Department
11 pursuant to Section 10-3. The order shall direct payment as
12 provided in Section 10-10.

13 (Source: P.A. 92-590, eff. 7-1-02.)

14 (305 ILCS 5/10-8) (from Ch. 23, par. 10-8)

15 Sec. 10-8. Support Payments - Partial Support - Full
16 Support. The notice to responsible relatives issued pursuant
17 to Section 10-7 shall direct payment (a) to the Illinois
18 Department in cases of applicants and recipients under
19 Articles III, ~~IV~~, V and VII, (b) except as provided in Section
20 10-3.1, to the local governmental unit in the case of
21 applicants and recipients under Article VI, and (c) to the
22 Illinois Department in cases of non-applicants and
23 non-recipients given access to the child support enforcement
24 services of this Article, as provided by Section 10-1.
25 However, if the support payments by responsible relatives are

1 sufficient to meet needs of a recipient in full, including
2 current and anticipated medical needs, and the Illinois
3 Department or the local governmental unit, as the case may be,
4 has reasonable grounds to believe that such needs will
5 continue to be provided in full by the responsible relatives,
6 the relatives may be directed to make subsequent support
7 payments to the needy person or to some person or agency in his
8 behalf and the recipient shall be removed from the rolls. In
9 such instance the recipient also shall be notified by
10 registered or certified mail of the action taken. If a
11 recipient removed from the rolls requests the Illinois
12 Department to continue to collect the support payments in his
13 behalf, the Department, at its option, may do so and pay
14 amounts so collected to the person. The Department may provide
15 for deducting any costs incurred by it in making the
16 collection from the amount of any recovery made and pay only
17 the net amount to the person.

18 Payments under this Section to the Illinois Department
19 pursuant to the Child Support Enforcement Program established
20 by Title IV-D of the Social Security Act shall be paid into the
21 Child Support Enforcement Trust Fund. All payments under this
22 Section to the Illinois Department of Human Services shall be
23 deposited in the DHS Recoveries Trust Fund. Disbursements from
24 these funds shall be as provided in Sections 12-9.1 and
25 12-10.2 of this Code. Payments received by a local
26 governmental unit shall be deposited in that unit's General

1 Assistance Fund.

2 To the extent the provisions of this Section are
3 inconsistent with the requirements pertaining to the State
4 Disbursement Unit under Sections 10-10.4 and 10-26 of this
5 Code, the requirements pertaining to the State Disbursement
6 Unit shall apply.

7 (Source: P.A. 91-24, eff. 7-1-99; 91-212, eff. 7-20-99; 92-16,
8 eff. 6-28-01; 92-590, eff. 7-1-02.)

9 (305 ILCS 5/10-10) (from Ch. 23, par. 10-10)

10 Sec. 10-10. Court enforcement; applicability also to
11 persons who are not applicants or recipients. Except where
12 the Illinois Department, by agreement, acts for the local
13 governmental unit, as provided in Section 10-3.1, local
14 governmental units shall refer to the State's Attorney or to
15 the proper legal representative of the governmental unit, for
16 judicial enforcement as herein provided, instances of
17 non-support or insufficient support when the dependents are
18 applicants or recipients under Article VI. The Child and
19 Spouse Support Unit established by Section 10-3.1 may
20 institute in behalf of the Illinois Department any actions
21 under this Section for judicial enforcement of the support
22 liability when the dependents are (a) applicants or recipients
23 under Articles III, ~~IV~~, V or VII; (b) applicants or recipients
24 in a local governmental unit when the Illinois Department, by
25 agreement, acts for the unit; or (c) non-applicants or

1 non-recipients who are receiving child support enforcement
2 services under this Article X, as provided in Section 10-1.
3 Where the Child and Spouse Support Unit has exercised its
4 option and discretion not to apply the provisions of Sections
5 10-3 through 10-8, the failure by the Unit to apply such
6 provisions shall not be a bar to bringing an action under this
7 Section.

8 Action shall be brought in the circuit court to obtain
9 support, or for the recovery of aid granted during the period
10 such support was not provided, or both for the obtainment of
11 support and the recovery of the aid provided. Actions for the
12 recovery of aid may be taken separately or they may be
13 consolidated with actions to obtain support. Such actions may
14 be brought in the name of the person or persons requiring
15 support, or may be brought in the name of the Illinois
16 Department or the local governmental unit, as the case
17 requires, in behalf of such persons.

18 The court may enter such orders for the payment of moneys
19 for the support of the person as may be just and equitable and
20 may direct payment thereof for such period or periods of time
21 as the circumstances require, including support for a period
22 before the date the order for support is entered. The order may
23 be entered against any or all of the defendant responsible
24 relatives and may be based upon the proportionate ability of
25 each to contribute to the person's support.

26 The Court shall determine the amount of child support

1 (including child support for a period before the date the
2 order for child support is entered) by using the guidelines
3 and standards set forth in subsection (a) of Section 505 and in
4 Section 505.2 of the Illinois Marriage and Dissolution of
5 Marriage Act. For purposes of determining the amount of child
6 support to be paid for a period before the date the order for
7 child support is entered, there is a rebuttable presumption
8 that the responsible relative's net income for that period was
9 the same as his or her net income at the time the order is
10 entered.

11 If (i) the responsible relative was properly served with a
12 request for discovery of financial information relating to the
13 responsible relative's ability to provide child support, (ii)
14 the responsible relative failed to comply with the request,
15 despite having been ordered to do so by the court, and (iii)
16 the responsible relative is not present at the hearing to
17 determine support despite having received proper notice, then
18 any relevant financial information concerning the responsible
19 relative's ability to provide child support that was obtained
20 pursuant to subpoena and proper notice shall be admitted into
21 evidence without the need to establish any further foundation
22 for its admission.

23 An order entered under this Section shall include a
24 provision requiring the obligor to report to the obligee and
25 to the clerk of court within 10 days each time the obligor
26 obtains new employment, and each time the obligor's employment

1 is terminated for any reason. The report shall be in writing
2 and shall, in the case of new employment, include the name and
3 address of the new employer. Failure to report new employment
4 or the termination of current employment, if coupled with
5 nonpayment of support for a period in excess of 60 days, is
6 indirect criminal contempt. For any obligor arrested for
7 failure to report new employment bond shall be set in the
8 amount of the child support that should have been paid during
9 the period of unreported employment. An order entered under
10 this Section shall also include a provision requiring the
11 obligor and obligee parents to advise each other of a change in
12 residence within 5 days of the change except when the court
13 finds that the physical, mental, or emotional health of a
14 party or that of a minor child, or both, would be seriously
15 endangered by disclosure of the party's address.

16 The Court shall determine the amount of maintenance using
17 the standards set forth in Section 504 of the Illinois
18 Marriage and Dissolution of Marriage Act.

19 Any new or existing support order entered by the court
20 under this Section shall be deemed to be a series of judgments
21 against the person obligated to pay support thereunder, each
22 such judgment to be in the amount of each payment or
23 installment of support and each such judgment to be deemed
24 entered as of the date the corresponding payment or
25 installment becomes due under the terms of the support order.
26 Each such judgment shall have the full force, effect and

1 attributes of any other judgment of this State, including the
2 ability to be enforced. Any such judgment is subject to
3 modification or termination only in accordance with Section
4 510 of the Illinois Marriage and Dissolution of Marriage Act.
5 Notwithstanding any other State or local law to the contrary,
6 a lien arises by operation of law against the real and personal
7 property of the noncustodial parent for each installment of
8 overdue support owed by the noncustodial parent.

9 When an order is entered for the support of a minor, the
10 court may provide therein for reasonable visitation of the
11 minor by the person or persons who provided support pursuant
12 to the order. Whoever willfully refuses to comply with such
13 visitation order or willfully interferes with its enforcement
14 may be declared in contempt of court and punished therefor.

15 Except where the local governmental unit has entered into
16 an agreement with the Illinois Department for the Child and
17 Spouse Support Unit to act for it, as provided in Section
18 10-3.1, support orders entered by the court in cases involving
19 applicants or recipients under Article VI shall provide that
20 payments thereunder be made directly to the local governmental
21 unit. Orders for the support of persons who are given access to
22 the child support enforcement services of this Article as
23 provided in Section 10-1 ~~all other applicants or recipients~~
24 shall provide that payments thereunder be made directly to the
25 Illinois Department. In accordance with federal law and
26 regulations, the Illinois Department may continue to collect

1 current maintenance payments or child support payments, or
2 both, after those persons cease to receive public assistance
3 and until termination of services under Article X. The
4 Illinois Department shall pay the net amount collected to
5 those persons after deducting any costs incurred in making the
6 collection or any collection fee from the amount of any
7 recovery made. In both cases the order shall permit the local
8 governmental unit or the Illinois Department, as the case may
9 be, to direct the responsible relative or relatives to make
10 support payments directly to the needy person, or to some
11 person or agency in his behalf, upon removal of the person from
12 the public aid rolls or upon termination of services under
13 Article X.

14 If the notice of support due issued pursuant to Section
15 10-7 directs that support payments be made directly to the
16 needy person, or to some person or agency in his behalf, and
17 the recipient is removed from the public aid rolls, court
18 action may be taken against the responsible relative hereunder
19 if he fails to furnish support in accordance with the terms of
20 such notice.

21 Actions may also be brought under this Section in behalf
22 of any person who is in need of support from responsible
23 relatives, as defined in Section 2-11 of Article II who is not
24 an applicant for or recipient of financial aid under this
25 Code. In such instances, the State's Attorney of the county in
26 which such person resides shall bring action against the

1 responsible relatives hereunder. If the Illinois Department,
2 as authorized by Section 10-1, extends the child support
3 enforcement services provided by this Article to spouses and
4 dependent children who are not applicants or recipients under
5 this Code, the Child and Spouse Support Unit established by
6 Section 10-3.1 shall bring action against the responsible
7 relatives hereunder and any support orders entered by the
8 court in such cases shall provide that payments thereunder be
9 made directly to the Illinois Department.

10 Whenever it is determined in a proceeding to establish or
11 enforce a child support or maintenance obligation that the
12 person owing a duty of support is unemployed, the court may
13 order the person to seek employment and report periodically to
14 the court with a diary, listing or other memorandum of his or
15 her efforts in accordance with such order. Additionally, the
16 court may order the unemployed person to report to the
17 Department of Employment Security for job search services or
18 to make application with the local Job Training Partnership
19 Act provider for participation in job search, training or work
20 programs and where the duty of support is owed to a child
21 receiving child support enforcement services under this
22 Article X, the court may order the unemployed person to report
23 to the Illinois Department for participation in job search,
24 training or work programs established under Section 9-6 and
25 Article IXA of this Code.

26 Whenever it is determined that a person owes past-due

1 support for a child receiving assistance under this Code, the
2 court shall order at the request of the Illinois Department:

3 (1) that the person pay the past-due support in
4 accordance with a plan approved by the court; or

5 (2) if the person owing past-due support is
6 unemployed, is subject to such a plan, and is not
7 incapacitated, that the person participate in such job
8 search, training, or work programs established under
9 Section 9-6 and Article IXA of this Code as the court deems
10 appropriate. The requirement to participate in programs
11 under Section 9-6 and Article IXA of this Code shall not
12 apply to persons who owe past-due support for a child who
13 is only receiving cash assistance under Article IV, and no
14 other assistance under this Code.

15 A determination under this Section shall not be
16 administratively reviewable by the procedures specified in
17 Sections 10-12, and 10-13 to 10-13.10. Any determination under
18 these Sections, if made the basis of court action under this
19 Section, shall not affect the de novo judicial determination
20 required under this Section.

21 If a person who is found guilty of contempt for failure to
22 comply with an order to pay support is a person who conducts a
23 business or who is self-employed, the court in addition to
24 other penalties provided by law may order that the person do
25 one or more of the following: (i) provide to the court monthly
26 financial statements showing income and expenses from the

1 business or the self-employment; (ii) seek employment and
2 report periodically to the court with a diary, listing, or
3 other memorandum of his or her employment search efforts; or
4 (iii) report to the Department of Employment Security for job
5 search services to find employment that will be subject to
6 withholding of child support.

7 A one-time charge of 20% is imposable upon the amount of
8 past-due child support owed on July 1, 1988 which has accrued
9 under a support order entered by the court. The charge shall be
10 imposed in accordance with the provisions of Section 10-21 of
11 this Code and shall be enforced by the court upon petition.

12 All orders for support, when entered or modified, shall
13 include a provision requiring the non-custodial parent to
14 notify the court and, in cases in which a party is receiving
15 child support enforcement services under this Article X, the
16 Illinois Department, within 7 days, (i) of the name, address,
17 and telephone number of any new employer of the non-custodial
18 parent, (ii) whether the non-custodial parent has access to
19 health insurance coverage through the employer or other group
20 coverage and, if so, the policy name and number and the names
21 of persons covered under the policy, and (iii) of any new
22 residential or mailing address or telephone number of the
23 non-custodial parent. In any subsequent action to enforce a
24 support order, upon a sufficient showing that a diligent
25 effort has been made to ascertain the location of the
26 non-custodial parent, service of process or provision of

1 notice necessary in the case may be made at the last known
2 address of the non-custodial parent in any manner expressly
3 provided by the Code of Civil Procedure or this Code, which
4 service shall be sufficient for purposes of due process.

5 An order for support shall include a date on which the
6 current support obligation terminates. The termination date
7 shall be no earlier than the date on which the child covered by
8 the order will attain the age of 18. However, if the child will
9 not graduate from high school until after attaining the age of
10 18, then the termination date shall be no earlier than the
11 earlier of the date on which the child's high school
12 graduation will occur or the date on which the child will
13 attain the age of 19. The order for support shall state that
14 the termination date does not apply to any arrearage that may
15 remain unpaid on that date. Nothing in this paragraph shall be
16 construed to prevent the court from modifying the order or
17 terminating the order in the event the child is otherwise
18 emancipated.

19 If there is an unpaid arrearage or delinquency (as those
20 terms are defined in the Income Withholding for Support Act)
21 equal to at least one month's support obligation on the
22 termination date stated in the order for support or, if there
23 is no termination date stated in the order, on the date the
24 child attains the age of majority or is otherwise emancipated,
25 then the periodic amount required to be paid for current
26 support of that child immediately prior to that date shall

1 automatically continue to be an obligation, not as current
2 support but as periodic payment toward satisfaction of the
3 unpaid arrearage or delinquency. That periodic payment shall
4 be in addition to any periodic payment previously required for
5 satisfaction of the arrearage or delinquency. The total
6 periodic amount to be paid toward satisfaction of the
7 arrearage or delinquency may be enforced and collected by any
8 method provided by law for the enforcement and collection of
9 child support, including but not limited to income withholding
10 under the Income Withholding for Support Act. Each order for
11 support entered or modified on or after the effective date of
12 this amendatory Act of the 93rd General Assembly must contain
13 a statement notifying the parties of the requirements of this
14 paragraph. Failure to include the statement in the order for
15 support does not affect the validity of the order or the
16 operation of the provisions of this paragraph with regard to
17 the order. This paragraph shall not be construed to prevent or
18 affect the establishment or modification of an order for the
19 support of a minor child or the establishment or modification
20 of an order for the support of a non-minor child or educational
21 expenses under Section 513 of the Illinois Marriage and
22 Dissolution of Marriage Act.

23 Payments under this Section to the Illinois Department
24 pursuant to the Child Support Enforcement Program established
25 by Title IV-D of the Social Security Act shall be paid into the
26 Child Support Enforcement Trust Fund. All payments under this

1 Section to the Illinois Department of Human Services shall be
2 deposited in the DHS Recoveries Trust Fund. Disbursements from
3 these funds shall be as provided in Sections 12-9.1 and
4 12-10.2 of this Code. Payments received by a local
5 governmental unit shall be deposited in that unit's General
6 Assistance Fund.

7 To the extent the provisions of this Section are
8 inconsistent with the requirements pertaining to the State
9 Disbursement Unit under Sections 10-10.4 and 10-26 of this
10 Code, the requirements pertaining to the State Disbursement
11 Unit shall apply.

12 (Source: P.A. 97-186, eff. 7-22-11; 97-1029, eff. 1-1-13.)

13 (305 ILCS 5/10-11.1) (from Ch. 23, par. 10-11.1)

14 Sec. 10-11.1. (a) Whenever it is determined in a
15 proceeding under Sections 10-6, 10-7, 10-11 or 10-17.1 that
16 the responsible relative is unemployed, and support is sought
17 on behalf of ~~applicants for or recipients of financial aid~~
18 ~~under Article IV of this Code or other~~ persons who are given
19 access to the child support enforcement services of this
20 Article as provided in Section 10-1, the administrative
21 enforcement unit may order the responsible relative to report
22 to the Illinois Department for participation in job search,
23 training or work programs established under Section 9-6 and
24 Article IXA of this Code or to the Illinois Department of
25 Employment Security for job search services or to make

1 application with the local Job Training Partnership Act
2 provider for participation in job search, training or work
3 programs.

4 (b) Whenever it is determined that a responsible relative
5 owes past-due support for a child under an administrative
6 support order entered under subsection (b) of Section 10-7 or
7 under Section 10-11 or 10-17.1 and the child is receiving
8 assistance under this Code, the administrative enforcement
9 unit shall order the following:

10 (1) that the responsible relative pay the past-due
11 support in accordance with a plan approved by the
12 administrative enforcement unit; or

13 (2) if the responsible relative owing past-due support
14 is unemployed, is subject to such a plan, and is not
15 incapacitated, that the responsible relative participate
16 in job search, training, or work programs established
17 under Section 9-6 and Article IXA of this Code. The
18 requirement to participate in programs under Section 9-6
19 and Article IXA of this Code shall not apply to a
20 responsible relative who owes past-due support for a child
21 who is only receiving cash assistance under Article IV,
22 and no other assistance under this Code.

23 (Source: P.A. 92-16, eff. 6-28-01; 92-590, eff. 7-1-02.)

24 (305 ILCS 5/10-15) (from Ch. 23, par. 10-15)

25 Sec. 10-15. Enforcement of administrative order; costs and

1 fees. If a responsible relative refuses, neglects, or fails to
2 comply with a final administrative support or reimbursement
3 order of the Illinois Department entered by the Child and
4 Spouse Support Unit pursuant to Sections 10-11 or 10-11.1 or
5 registered pursuant to Section 10-17.1, the Child and Spouse
6 Support Unit may file suit against the responsible relative or
7 relatives to secure compliance with the administrative order.

8 Suits shall be instituted in the name of the People of the
9 State of Illinois on the relation of the Department of
10 Healthcare and Family Services of the State of Illinois and
11 the spouse or dependent children for whom the support order
12 has been issued.

13 The court shall order the payment of the support
14 obligation, or orders for reimbursement of moneys for support
15 provided, directly to the Illinois Department but the order
16 shall permit the Illinois Department to direct the responsible
17 relative or relatives to make payments of support directly to
18 the spouse or dependent children, or to some person or agency
19 in his or their behalf, as provided in Section 10-8 or 10-10,
20 as applicable.

21 Whenever it is determined in a proceeding to enforce an
22 administrative order that the responsible relative is
23 unemployed, and support is sought on behalf of ~~applicants for~~
24 ~~or recipients of financial aid under Article IV of this Code or~~
25 ~~other~~ persons who are given access to the child support
26 enforcement services of this Article as provided in Section

1 10-1, the court may order the responsible relative to seek
2 employment and report periodically to the court with a diary,
3 listing or other memorandum of his or her efforts in
4 accordance with such order. In addition, the court may order
5 the unemployed responsible relative to report to the Illinois
6 Department for participation in job search, training or work
7 programs established under Section 9-6 of this Code or to the
8 Illinois Department of Employment Security for job search
9 services or to make application with the local Job Training
10 Partnership Act provider for participation in job search,
11 training or work programs.

12 Charges imposed in accordance with the provisions of
13 Section 10-21 shall be enforced by the Court in a suit filed
14 under this Section.

15 To the extent the provisions of this Section are
16 inconsistent with the requirements pertaining to the State
17 Disbursement Unit under Sections 10-10.4 and 10-26 of this
18 Code, the requirements pertaining to the State Disbursement
19 Unit shall apply.

20 (Source: P.A. 95-331, eff. 8-21-07.)

21 (305 ILCS 5/11-6) (from Ch. 23, par. 11-6)

22 Sec. 11-6. Decisions on applications. Within 10 days after
23 a decision is reached on an application, the applicant shall
24 be notified in writing of the decision. If the applicant
25 resides in a facility licensed under the Nursing Home Care Act

1 or a supportive living facility authorized under Section
2 5-5.01a, the facility shall also receive written notice of the
3 decision, provided that the notification is related to a
4 Department payment for services received by the applicant in
5 the facility. Only facilities enrolled in and subject to a
6 provider agreement under the medical assistance program under
7 Article V may receive such notices of decisions. The
8 Department shall consider eligibility for, and the notice
9 shall contain a decision on, each of the following assistance
10 programs for which the client may be eligible based on the
11 information contained in the application: Cash Assistance to
12 Strengthen Households (CASH) ~~Temporary Assistance for Needy~~
13 ~~Families~~, Medical Assistance, Aid to the Aged, Blind and
14 Disabled, General Assistance (in the City of Chicago), and
15 food stamps. No decision shall be required for any assistance
16 program for which the applicant has expressly declined in
17 writing to apply. If the applicant is determined to be
18 eligible, the notice shall include a statement of the amount
19 of financial aid to be provided and a statement of the reasons
20 for any partial grant amounts. If the applicant is determined
21 ineligible for any public assistance the notice shall include
22 the reason why the applicant is ineligible. If the application
23 for any public assistance is denied, the notice shall include
24 a statement defining the applicant's right to appeal the
25 decision. The Illinois Department, by rule, shall determine
26 the date on which assistance shall begin for applicants

1 determined eligible. That date may be no later than 30 days
2 after the date of the application.

3 Under no circumstances may any application be denied
4 solely to meet an application-processing deadline. As used in
5 this Section, "application" also refers to requests for
6 admission approval to facilities licensed under the Nursing
7 Home Care Act or to supportive living facilities authorized
8 under Section 5-5.01a.

9 (Source: P.A. 100-665, eff. 8-2-18; 100-863, eff. 8-14-18.)

10 (305 ILCS 5/11-17) (from Ch. 23, par. 11-17)

11 Sec. 11-17. Duplication or supplementation of aid
12 prohibited-Exceptions. Except (1) for Medical Assistance
13 provided under Article V, (2) cash assistance provided under
14 Article IV, or (3) ~~(2)~~ when necessary to accomplish the
15 purposes of this Code, where not inconsistent therewith, and
16 subject to the rules of the Illinois Department, a person
17 receiving aid under Article ~~any one of Articles III, IV, or VI~~
18 of this Code shall not at the same time receive aid under any
19 other of such Articles or any other financial aid from the
20 State, any political subdivision thereof, or any municipal
21 corporation therein.

22 (Source: P.A. 92-111, eff. 1-1-02.)

23 (305 ILCS 5/11-18) (from Ch. 23, par. 11-18)

24 Sec. 11-18. Duty to report changes in circumstances.

1 Except as set forth in Article IV regarding the
2 administration of CASH, it ~~is~~ is the duty of every applicant
3 and recipient to notify promptly the county department or the
4 supervisor of general assistance, as the case may be, of any
5 change of status with respect to his property, or need, or
6 family composition, amount of income, money contributions and
7 other support, from whatever source, occurring, in the case of
8 an applicant, between the time of his filing an application
9 for financial aid and the issuance of the grant, and, in the
10 case of a recipient, occurring at any time during the period
11 that he receives financial aid.

12 If an applicant or recipient fails to give prompt notice
13 of changes in his circumstances, and as a result financial aid
14 is given to which he is not entitled, he shall be liable to the
15 county department or to the local governmental unit, as the
16 case may be, for refunding a sum of money up to but not in
17 excess of the entire amount of financial aid provided. Unless
18 the refund is made the amount may be recovered in a civil
19 action.

20 (Source: Laws 1967, p. 122.)

21 (305 ILCS 5/11-19) (from Ch. 23, par. 11-19)

22 Sec. 11-19. Reports by recipients. Except as set forth in
23 Article IV regarding the administration of CASH, every ~~Every~~
24 recipient who is of legal age, and every grantee of record of
25 aid provided for a minor recipient, shall file with the county

1 department or the local governmental unit, as the case may be,
2 a statement in respect to any change occurring in his status
3 since his application was made or the filing of his last such
4 report, whichever is applicable. The report shall set out any
5 changes occurring in respect to his property or need, family
6 composition, amount of income, money contributions or other
7 support, from whatever source. Such reports shall be required
8 to be filed as often as may be specified by rule, and the
9 required frequency of such reports may vary by program,
10 geographic area, condition of employment, or such other
11 differentiation as may be specified by rule. The Illinois
12 Department may require that information in the reports filed
13 under this Section include a child immunization history for
14 recipients age 6 and under not attending school. For
15 recipients who report that they have not obtained the
16 immunizations in accordance with recommended schedules, the
17 Illinois Department shall respond by providing information
18 about the availability and location of immunization services
19 and shall transmit the immunization history information to the
20 Healthy Kids Program administered under Section 5-19 of this
21 Code.

22 (Source: P.A. 88-342.)

23 (305 ILCS 5/11-20.1) (from Ch. 23, par. 11-20.1)

24 Sec. 11-20.1. Employment; Rights of recipient and
25 obligations of Illinois Department when recipients become

1 employed; Assistance when a recipient has employment or earned
2 income or both.

3 (a) When a recipient reports employment or earned income,
4 or both, or the Illinois Department otherwise learns of a
5 recipient's employment or earned income, or both, the Illinois
6 Department shall provide the recipient with:

7 (1) An explanation of how the earned income will
8 affect the recipient's eligibility for a grant, and
9 whether the recipient must engage in additional work
10 activities to meet the recipient's monthly work activities
11 requirement and what types of activities may be approved
12 for that purpose, and whether the employment is sufficient
13 to cause months of continued receipt of a grant not to be
14 counted against the recipient's lifetime eligibility
15 limit.

16 (2) An explanation of the Work Pays budgeting process,
17 and an explanation of how the first month's income on a new
18 job will be projected, and how the recipient should report
19 the new job to avoid the Department overestimating the
20 first month's income.

21 (3) An explanation of how the earned income will
22 affect the recipient's eligibility for food stamps,
23 whether the recipient will continue to receive food
24 stamps, and, if so, the amount of food stamps.

25 (4) The names and telephone numbers of all caseworkers
26 to whom the recipient's case or cases are assigned or will

1 be transferred, an explanation of which type of case each
2 worker will be handling, and the effective date of the
3 transfer.

4 (5) An explanation of the recipient's responsibilities
5 to report income and household circumstances, the process
6 by which quarterly reporting forms are sent to recipients,
7 where and to whom the reports should be returned, the
8 deadline by which reports must be returned, instructions
9 on how to fill out the reports, an explanation of what the
10 recipient should do if he or she does not receive the form,
11 advice on how to prove the report was returned by the
12 recipient such as by keeping a copy, and an explanation of
13 the effects of failure to file reports.

14 (6) If the recipient will continue to receive a grant,
15 an explanation of the recipient's new fiscal month and a
16 statement as to when the recipient will receive his or her
17 grant.

18 (7) An explanation of Kidcare, Family Assist, Family
19 Care, and the 12 month extension of medical assistance
20 that is available when a grant is cancelled due to earned
21 income.

22 (8) An explanation of the medical assistance the
23 person may be eligible for when the 12 month extension
24 expires and how to request or apply for it.

25 (9) An explanation of the availability of a child care
26 subsidy to all families below the child care assistance

1 program's income limit, how to apply for the benefit
2 through the Child Care Resource and Referral or
3 site-administered child care program or both, the nature
4 of the child care program's sliding scale co-payments, the
5 availability of the 10% earned income disregard in
6 determining eligibility for child care assistance and the
7 amount of the parent co-payment, the right to use the
8 subsidy for either licensed or license exempt legal care,
9 and the availability of benefits when the parent is
10 engaged in an education and training program.

11 (10) (Blank).

12 (11) (Blank).

13 (11a) (Blank).

14 (12) (Blank).

15 (13) An explanation of the availability of payment for
16 initial expenses of employment and how to request or apply
17 for it.

18 (14) An explanation of the job retention component and
19 how to participate in it, and an explanation of the
20 recipient's eligibility to receive supportive services to
21 participate in education and training programs while
22 working.

23 (15) A statement of the types of assistance that will
24 be provided to the person automatically or continued and a
25 statement of the types of assistance for which the person
26 must apply or reapply.

1 (16) If the recipient will not continue to receive a
2 cash grant and the recipient has assigned his or her right
3 to child support to the Illinois Department, an
4 explanation of the recipient's right to continue to
5 receive child support enforcement services, the
6 recipient's right to have all current support paid after
7 grant cancellation forwarded promptly to the recipient,
8 the procedures by which child support will be forwarded,
9 and the procedures by which the recipient will be informed
10 of the collection and distribution of child support.

11 (17) An explanation of the availability of payments if
12 the recipient experiences a decrease in or loss of earned
13 income during a calendar quarter as to which the monthly
14 grant was previously budgeted based upon the higher
15 income.

16 (18) If the recipient will not continue to receive a
17 cash grant, an explanation of the procedures for
18 reapplying for cash assistance if the person experiences a
19 decrease in or loss of earned income.

20 (19) An explanation of the earned income tax credit
21 and the procedures by which it may be obtained and the
22 rules for disregarding it in determining eligibility for
23 and the amount of assistance.

24 (20) An explanation of the education and training
25 opportunities available to recipients.

26 (b) The information listed in subsection (a) shall be

1 provided to the recipient on an individual basis during an
2 in-person meeting with a representative of the Illinois
3 Department. The individual in-person meeting shall be held at
4 a time which does not conflict with the recipient's work
5 schedule within 30 days of the date the recipient begins
6 working. If the recipient informs the Illinois Department that
7 an in-person meeting would be inconvenient, the Illinois
8 Department may provide the information during a home visit, by
9 telephone, or by mail within 30 days of the date the recipient
10 begins working, whichever the client prefers.

11 For individuals receiving only cash assistance under
12 Article IV, the Department shall provide the information
13 listed in subsection (a) by telephone, mail, electronic mail,
14 text message, or other method of preferred communication as
15 indicated by the individual. The Department shall not seek to
16 conduct an in-person meeting with individuals receiving only
17 cash assistance under Article IV.

18 (c) At the conclusion of the meeting described in
19 subsection (b), the Illinois Department shall ensure that all
20 case transfers and calculations of benefits necessitated by
21 the recipient's employment or receipt of earned income have
22 been performed, that applications have been made or provided
23 for all benefits for which the person must apply or reapply,
24 and that the person has received payment for initial expenses
25 of employment.

26 (d) In food stamp cases in which an applicant or recipient

1 reports earned income, the applicant's or recipient's
2 employment shall be presumed to be a hardship for purposes of
3 scheduling an in-person meeting with a representative of the
4 Illinois Department and an in-person meeting shall be waived.
5 (Source: P.A. 96-867, eff. 1-1-11.)

6 (305 ILCS 5/11-22c) (from Ch. 23, par. 11-22c)
7 Sec. 11-22c. Recovery of back wages.

8 (a) As used in this Section, "recipient" means any person
9 receiving financial assistance under ~~Article IV or~~ Article VI
10 of this Code, receiving health care benefits under the
11 Covering ALL KIDS Health Insurance Act, or receiving health
12 care benefits under the Veterans' Health Insurance Program Act
13 or the Veterans' Health Insurance Program Act of 2008.

14 (b) If a recipient maintains any suit, charge or other
15 court or administrative action against an employer seeking
16 back pay for a period during which the recipient received
17 financial assistance under Article IV or Article VI of this
18 Code, health care benefits under the Covering ALL KIDS Health
19 Insurance Act, or health care benefits under the Veterans'
20 Health Insurance Program Act or the Veterans' Health Insurance
21 Program Act of 2008, the recipient shall report such fact to
22 the Department. To the extent of the amount of assistance
23 provided to or on behalf of the recipient under Article IV or
24 Article VI, health care benefits provided under the Covering
25 ALL KIDS Health Insurance Act, or health care benefits

1 provided under the Veterans' Health Insurance Program Act or
2 the Veterans' Health Insurance Program Act of 2008, the
3 Department may by intervention or otherwise without the
4 necessity of assignment of claim, attach a lien on the
5 recovery of back wages equal to the amount of assistance
6 provided by the Department to the recipient under ~~Article IV~~
7 ~~or~~ Article VI, under the Covering ALL KIDS Health Insurance
8 Act, or under the Veterans' Health Insurance Program Act or
9 the Veterans' Health Insurance Program Act of 2008.

10 (Source: P.A. 94-693, eff. 7-1-06; 94-816, eff. 5-30-06;
11 95-755, eff. 7-25-08.)

12 (305 ILCS 5/11-32)

13 Sec. 11-32. Premium debts; forgiveness, compromise,
14 reduction. The Department may forgive, compromise, or reduce
15 any debt owed by a former or current recipient of medical
16 assistance under this Code or health care benefits under the
17 Children's Health Insurance Program or the Covering ALL KIDS
18 Health Insurance Program that is related to any premium that
19 was determined or imposed in accordance with (i) the
20 Children's Health Insurance Program Act or the Covering ALL
21 KIDS Health Insurance Act prior to those Acts becoming
22 inoperative or (ii) any corresponding administrative rule.

23 The Department may forgive, compromise, or reduce any debt
24 owed by a former or current recipient of cash assistance under
25 Article IV, including those recipients whose debt was

1 generated by overpayment of TANF cash assistance before July
2 1, 2026.

3 (Source: P.A. 102-43, eff. 7-6-21.)

4 (305 ILCS 5/12-4.4) (from Ch. 23, par. 12-4.4)

5 Sec. 12-4.4. Administration of federally-aided programs.
6 Direct County Departments of Public Aid in the administration
7 of the federally funded Supplemental Nutrition Assistance
8 (SNAP) Program, programs to aid refugees and Articles III,~~IV,~~
9 and V of this Code.

10 The Illinois Department of Human Services shall operate a
11 SNAP Employment and Training (SNAP E&T) program in compliance
12 with federal law. The SNAP E&T program may only be mandatory in
13 counties where the Department can show that there are
14 sufficient program slots for at least the majority of the
15 county's current non-exempt work registrants as described in
16 Section 11-20 of this Code. Nothing in this Section shall
17 prevent the Department from operating a fully voluntary SNAP
18 E&T program. The SNAP E&T program will have an Earnfare
19 component. The Earnfare component shall be available in
20 selected geographic areas based on criteria established by the
21 Illinois Department of Human Services by rule. Participants in
22 Earnfare will, to the extent resources allow, earn their
23 assistance. Participation in the Earnfare program is
24 voluntary, except when ordered by a court of competent
25 jurisdiction. Eligibility for Earnfare may be limited to only

1 6 months out of any 12 consecutive month period. Clients are
2 not entitled to be placed in an Earnfare slot. Earnfare slots
3 shall be made available only as resources permit. Earnfare
4 shall be available to persons receiving SNAP benefits who meet
5 eligibility criteria established by the Illinois Department of
6 Human Services by rule. The Illinois Department may, by rule,
7 extend the Earnfare Program to clients who do not receive SNAP
8 benefits. Receipt of SNAP benefits is not an eligibility
9 requirement of Earnfare when a court of competent jurisdiction
10 orders an individual to participate in the Earnfare Program.
11 To the extent resources permit, the Earnfare program will
12 allow participants to engage in work-related activities to
13 earn monthly financial assistance payments and to improve
14 participants' employability in order for them to succeed in
15 obtaining employment. The Illinois Department of Human
16 Services may enter into contracts with other public agencies
17 including State agencies, with local governmental units, and
18 with not-for-profit community based organizations to carry out
19 the elements of the Program that the Department of Human
20 Services deems appropriate.

21 The Earnfare Program shall contain the following elements:

22 (1) To the extent resources allow and slots exist, the
23 Illinois Department of Human Services shall refer
24 recipients of SNAP benefits who meet eligibility criteria,
25 as established by rule. Receipt of SNAP benefits is not an
26 eligibility requirement of Earnfare when a court of

1 competent jurisdiction orders an individual to participate
2 in the Earnfare Program.

3 (2) Persons participating in Earnfare shall engage in
4 employment assigned activities equal to the amount of the
5 SNAP benefits divided by the State or federal minimum
6 wage, whichever is higher, and subsequently shall earn
7 minimum wage assistance for each additional hour of
8 performance in Earnfare activity. Earnfare participants
9 shall be offered the opportunity to earn up to \$154. The
10 Department of Human Services may establish a higher amount
11 by rule provided resources permit. If a court of competent
12 jurisdiction orders an individual to participate in the
13 Earnfare program, hours engaged in employment assigned
14 activities shall first be applied for a \$50 payment made
15 to the custodial parent as a support obligation. If the
16 individual receives SNAP benefits, the individual shall
17 engage in employment assigned activities equal to the
18 amount of the SNAP benefits divided by the State or
19 federal minimum wage, whichever is higher, and
20 subsequently shall earn State or federal minimum wage
21 assistance, whichever is higher, for each additional hour
22 of performance in Earnfare activity.

23 (3) To the extent appropriate slots are available, the
24 Illinois Department of Human Services shall assign
25 Earnfare participants to Earnfare activities based on an
26 assessment of the person's age, literacy, education,

1 educational achievement, job training, work experience,
2 and recent institutionalization, whenever these factors
3 are known to the Department of Human Services or to the
4 contractor and are relevant to the individual's success in
5 carrying out the assigned activities and in ultimately
6 obtaining employment.

7 (4) The Department of Human Services shall consider
8 the participant's preferences and personal employment
9 goals in making assignments to the extent administratively
10 possible and to the extent that resources allow.

11 (5) The Department of Human Services may enter into
12 cooperative agreements with local governmental units
13 (which may, in turn, enter into agreements with
14 not-for-profit community based organizations): with other
15 public, including State, agencies; directly with
16 not-for-profit community based organizations, and with
17 private employers to create Earnfare activities for
18 program participants.

19 (6) To the extent resources permit, the Department of
20 Human Services shall provide the Earnfare participants
21 with the costs of transportation in looking for work and
22 in getting to and from the assigned Earnfare job site and
23 initial expenses of employment.

24 (7) All income and asset limitations of the Federal
25 SNAP Program will govern continued Earnfare participation,
26 except that court ordered participants shall participate

1 for 6 months unless the court orders otherwise.

2 (8) Earnfare participants shall not displace or
3 substitute for regular, full time or part time employees,
4 regardless of whether or not the employee is currently
5 working, on a leave of absence or in a position or similar
6 position where a layoff has taken place or the employer
7 has terminated the employment of any regular employee or
8 otherwise reduced its workforce with the effect of filling
9 the vacancy so created with a participant subsidized under
10 this program, or is or has been involved in a labor dispute
11 between a labor organization and the sponsor.

12 (9) Persons who fail to cooperate with the SNAP E&T
13 program in counties where available program slots exist
14 for at least the majority of that county's current work
15 registrants shall become ineligible for SNAP benefits
16 according to SNAP regulations, and for Earnfare
17 participation. Failure to participate in Earnfare for all
18 of the hours assigned is not a failure to cooperate unless
19 so established by the employer pursuant to Department of
20 Human Services rules. If a person who is ordered by a court
21 of competent jurisdiction to participate in the Earnfare
22 Program fails to cooperate with the Program, the person
23 shall be referred to the court for failure to comply with
24 the court order.

25 (Source: P.A. 101-566, eff. 8-23-19.)

1 (305 ILCS 5/12-4.11) (from Ch. 23, par. 12-4.11)

2 Sec. 12-4.11. Grant amounts. The Department, with due
3 regard for and subject to budgetary limitations, shall
4 establish grant amounts for each of the programs, by
5 regulation, except as provided by Section 4-2. The grant
6 amounts may vary by program, size of assistance unit and
7 geographic area. Grant amounts under the Cash Assistance to
8 Strengthen Households (CASH) ~~Temporary Assistance for Needy~~
9 ~~Families (TANF)~~ program may not vary on the basis of a ~~TANF~~
10 recipient's county of residence.

11 Payments of cash assistance under Article IV shall not be
12 reduced, for any reason, for eligible households during their
13 certification as set forth in Section 4-2.2. All other aid ~~Aid~~
14 payments administered under this Code shall not be reduced
15 except: (1) for changes in the cost of items included in the
16 grant amounts, or (2) for changes in the expenses of the
17 recipient, or (3) for changes in the income or resources
18 available to the recipient, or (4) for changes in grants
19 resulting from adoption of a consolidated grant amount.

20 ~~The maximum benefit levels provided to TANF recipients~~
21 ~~shall increase as follows: beginning October 1, 2023, the~~
22 ~~Department of Human Services shall increase TANF grant amounts~~
23 ~~in effect on September 30, 2023 to at least 35% of the most~~
24 ~~recent United States Department of Health and Human Services~~
25 ~~Federal Poverty Guidelines for each family size. Beginning~~
26 ~~October 1, 2024, and each October 1 thereafter, the maximum~~

1 ~~benefit levels shall be annually adjusted to remain equal to~~
2 ~~at least 35% of the most recent poverty guidelines updated~~
3 ~~periodically in the Federal Register by the U.S. Department of~~
4 ~~Health and Human Services under the authority of 42 U.S.C.~~
5 ~~9902(2) for each family size.~~

6 ~~TANF grants for child only assistance units shall be at~~
7 ~~least 75% of TANF grants for assistance units of the same size~~
8 ~~that consist of a caretaker relative with children.~~

9 In fixing standards to govern payments or reimbursements
10 for funeral and burial expenses, the Department shall
11 establish a minimum allowable amount of not less than \$1,000
12 for Department payment of funeral services and not less than
13 \$500 for Department payment of burial or cremation services.
14 On January 1, 2006, July 1, 2006, and July 1, 2007, the
15 Department shall increase the minimum reimbursement amount for
16 funeral and burial expenses under this Section by a percentage
17 equal to the percentage increase in the Consumer Price Index
18 for All Urban Consumers, if any, during the 12 months
19 immediately preceding that January 1 or July 1. In
20 establishing the minimum allowable amount, the Department
21 shall take into account the services essential to a dignified,
22 low-cost (i) funeral and (ii) burial or cremation, including
23 reasonable amounts that may be necessary for burial space and
24 cemetery charges, and any applicable taxes or other required
25 governmental fees or charges. If no person has agreed to pay
26 the total cost of the (i) funeral and (ii) burial or cremation

1 charges, the Department shall pay the vendor the actual costs
2 of the (i) funeral and (ii) burial or cremation, or the minimum
3 allowable amount for each service as established by the
4 Department, whichever is less, provided that the Department
5 reduces its payments by the amount available from the
6 following sources: the decedent's assets and available
7 resources and the anticipated amounts of any death benefits
8 available to the decedent's estate, and amounts paid and
9 arranged to be paid by the decedent's legally responsible
10 relatives. A legally responsible relative is expected to pay
11 (i) funeral and (ii) burial or cremation expenses unless
12 financially unable to do so.

13 Nothing contained in this Section or in any other Section
14 of this Code shall be construed to prohibit the Illinois
15 Department (1) from consolidating existing standards on the
16 basis of any standards which are or were in effect on, or
17 subsequent to July 1, 1969, or (2) from employing any
18 consolidated standards in determining need for public aid and
19 the amount of money payment or grant for individual recipients
20 or recipient families.

21 (Source: P.A. 103-8, eff. 6-7-23.)

22 (305 ILCS 5/12-4.14) (from Ch. 23, par. 12-4.14)

23 Sec. 12-4.14. Investigation of resources of applicants,
24 recipients, and responsible relatives. Investigate the
25 financial condition of applicants, recipients, and responsible

1 relatives as defined in Section 2-11 of Article II, in order to
2 determine whether an applicant or recipient has or can obtain
3 property, income, resources, or other sources of support
4 sufficient to provide him with a standard of living compatible
5 with health and well-being.

6 This Section shall not apply to the administration of cash
7 assistance under Article IV.

8 (Source: Laws 1967, p. 122.)

9 (305 ILCS 5/12-4.33)

10 Sec. 12-4.33. Welfare reform research and accountability.

11 (a) The Illinois Department shall collect and report upon
12 all data in connection with federally funded or assisted
13 welfare programs as federal law may require, including, but
14 not limited to, Section 411 of the Personal Responsibility and
15 Work Opportunity Reconciliation Act of 1996 and its
16 implementing regulations and any amendments thereto as may
17 from time to time be enacted.

18 (b) In addition to and on the same schedule as the data
19 collection required by federal law and subsection (a), the
20 Department shall collect and report on further information
21 with respect to the Cash Assistance to Strengthen Households
22 (CASH) ~~Temporary Assistance for Needy Families ("TANF")~~
23 program, as follows:

24 (1) With respect to denials of applications for
25 benefits, all of the same information about the family

1 required under the federal law, plus the specific reason
2 or reasons for denial of the application.

3 (2) With respect to all terminations of benefits, all
4 of the same information as required under the federal law,
5 plus the specific reason or reasons for the termination.

6 (c) (Blank). ~~The Department shall collect all of the same~~
7 ~~data as set forth in subsections (a) and (b), and report it on~~
8 ~~the same schedule, with respect to all cash assistance~~
9 ~~benefits provided to families that are not funded from the~~
10 ~~TANF program federal block grant or are not otherwise required~~
11 ~~to be included in the data collection and reporting in~~
12 ~~subsections (a) and (b).~~

13 (d) Whether or not reports under this Section must be
14 submitted to the federal government, they shall be considered
15 public and they shall be promptly made available to the public
16 at the end of each fiscal year, free of charge upon request.
17 The data underlying the reports shall be made available to
18 academic institutions and public policy organizations involved
19 in the study of welfare issues or programs and redacted to
20 conform with applicable privacy laws. The cost shall be no
21 more than that incurred by the Department in assembling and
22 delivering the data.

23 (e) (Blank).

24 (f) (Blank).

25 (Source: P.A. 95-322, eff. 1-1-08.)

1 (305 ILCS 5/12-4.104)

2 Sec. 12-4.104. Family and Community Development Grant
3 Program.

4 (a) Subject to funding availability, a family and
5 community development grant program shall be administered by
6 the Department of Human Services. The program shall be
7 designed to make services available to families who are at
8 risk of long-term economic dependency and to work with
9 communities to provide economic opportunities. The purpose of
10 the program is to fund, evaluate, and provide recommendations
11 on not less than 8 nor more than 10 projects to move 100
12 families at risk of long-term economic dependency to
13 self-sufficiency through the family and community development
14 program.

15 (b) As used in this Section only:

16 "Applicant" means a public or private organization that
17 makes application for a grant through the request for
18 proposals process.

19 "Council" means the Social Services Advisory Council.

20 "Department" means the Department of Human Services.

21 "Grant" means an award to fund a project approved by the
22 Department with the advice of the Council.

23 "Grantee" means the recipient of a grant approved by the
24 Department.

25 (c) The Social Services Advisory Council as established
26 within the Department of Human Services shall, with respect to

1 the family and community development grants administered by
2 the Department, involve a representative of the Human Resource
3 Investment Council in considering proposed projects and
4 monitoring approved projects.

5 (d) The Council shall:

6 (1) Identify the factors and conditions that place
7 Illinois families at risk of long-term dependency upon the
8 AFDC program or its successor program. The Council shall
9 seek to use relevant research findings and national and
10 Illinois-specific data on TANF (formerly AFDC), and, after
11 July 1, 2026, data related to the administration of the
12 CASH program including data set forth in Section 12-4.33.

13 (2) Identify the factors and conditions that place
14 Illinois families at risk of family instability, long-term
15 economic dependency, and foster care placement.

16 (3) Report those findings to the Secretary of Human
17 Services for his or her evaluation.

18 (4) Recommend grants to public or private
19 organizations to provide family and community development
20 services to families at risk of long-term economic
21 dependency.

22 (5) In cooperation with the Illinois Community Action
23 Association, use family and community development outcome
24 measures to independently evaluate the effectiveness of
25 demonstration projects.

26 (6) Seek the support of an Illinois accredited

1 university to continue research and evaluation
2 responsibilities.

3 (7) Seek additional support for the funding of family
4 and community development grants.

5 (8) Make recommendations to the Governor, the General
6 Assembly, and the Secretary of Human Services on the
7 effectiveness of family and community development
8 intervention programs in Illinois.

9 (9) Evaluate and make recommendations regarding the
10 cost and benefits to the expansion of eligibility or the
11 services provided under CASH TANF (formerly TANF AFDC) to
12 include tuition for parenting skills programs, family
13 support and counseling services, child development
14 services, job readiness and job skill training, and
15 transportation and child care expenses associated with the
16 programs and services.

17 (e) In cooperation with the Illinois Community Action
18 Association, the grantees shall identify families that receive
19 CASH TANF (formerly TANF AFDC) payments that may place
20 families at risk of long-term economic dependency.

21 (f) The Department shall adopt rules for the operation of
22 this program.

23 (Source: P.A. 90-783, eff. 8-14-98.)

24 (305 ILCS 5/12-13.05)

25 Sec. 12-13.05. Rules for Temporary Assistance for Needy

1 Families. All rules regulating the Cash Assistance to
2 Strengthen Households (CASH) (formerly the Temporary
3 Assistance for Needy Families (TANF) program) and all other
4 rules regulating the amendatory changes to this Code made by
5 this amendatory Act of 1997 shall be promulgated pursuant to
6 this Section.

7 (Source: P.A. 94-416, eff. 1-1-06.)

8 (305 ILCS 5/12-13.4)

9 Sec. 12-13.4. Materials on nutritional health. The
10 Department of Human Services, in cooperation with the
11 Department of Public Health, shall develop materials and
12 resources on nutritional health for distribution to new
13 enrollees in the CASH ~~TANF~~ program under Article IV and the
14 Food Stamp program. The Department of Public Health shall
15 develop a video presentation on nutritional health to be shown
16 to new enrollees in ~~the TANF program under Article IV and the~~
17 Food Stamp program. The Department of Human Services shall
18 develop the materials and resources within 6 months after the
19 effective date of this amendatory Act of the 94th General
20 Assembly and shall provide those materials and resources to
21 all persons who enroll in the TANF program and the Food Stamp
22 program after the materials and resources are developed.

23 (Source: P.A. 94-433, eff. 1-1-06.)

24 (305 ILCS 5/16-1)

1 Sec. 16-1. Benefits for foreign-born victims of
2 trafficking, torture, or other serious crimes. In order to
3 protect persons who are foreign-born victims of trafficking,
4 torture, or other serious crimes and to reduce the risk of
5 further harm, exploitation, and re-trafficking, beginning
6 January 1, 2018, ~~cash assistance provided under the Temporary~~
7 ~~Assistance for Needy Families program established under~~
8 ~~Article IV of this Code~~ and benefits provided under the
9 federal Supplemental Nutrition Assistance Program (SNAP) shall
10 be provided to such persons and their derivative family
11 members to the same extent ~~cash assistance and~~ SNAP benefits
12 are provided to individuals who are admitted to the United
13 States as refugees under Section 1157 of Title 8 of the United
14 States Code. To the extent that federal funding is not
15 available, any ~~cash assistance or~~ SNAP benefits provided under
16 this Article shall be paid from State funds. If changes made in
17 this Section require federal approval, they shall not take
18 effect until such approval has been received.

19 (Source: P.A. 99-870, eff. 8-22-16.)

20 (305 ILCS 5/16-2)

21 Sec. 16-2. Eligibility. Subject to available funding, a
22 foreign-born victim of trafficking, torture, or other serious
23 crimes and the individual's derivative family members, but not
24 a single adult without derivative family members, are eligible
25 for ~~cash assistance or~~ SNAP benefits under this Article if the

1 individual:

2 (a) has filed:

3 (1) an application for T Nonimmigrant status with
4 the appropriate federal agency pursuant to Section
5 1101(a)(15)(T) of Title 8 of the United States Code,
6 or is otherwise taking steps to meet the conditions
7 for federal benefits eligibility under Section 7105 of
8 Title 22 of the United States Code;

9 (2) a formal application with the appropriate
10 federal agency for status pursuant to Section
11 1101(a)(15)(U) of Title 8 of the United States Code;
12 or

13 (3) a formal application with the appropriate
14 federal agency for status under Section 1158 of Title
15 8 of the United States Code; and

16 (b) is otherwise eligible for cash assistance or SNAP
17 benefits, as applicable.

18 An individual residing in an institution or other setting
19 that provides the majority of the individual's daily meals is
20 not eligible for SNAP benefits.

21 (Source: P.A. 103-588, eff. 6-5-24.)

22 (305 ILCS 5/16-3)

23 Sec. 16-3. Determination of eligibility.

24 (a) The Department shall determine that an applicant for
25 ~~cash assistance or~~ SNAP benefits provided under this Article

1 is eligible for such benefits if the applicant meets the
2 income guidelines and is otherwise eligible and either:

3 (1) the applicant has filed:

4 (A) an application for T Nonimmigrant status with
5 the appropriate federal agency pursuant to Section
6 1101(a)(15)(T) of Title 8 of the United States Code,
7 or is otherwise taking steps to meet the conditions
8 for federal benefits eligibility under Section 7105 of
9 Title 22 of the United States Code;

10 (B) a formal application with the appropriate
11 federal agency for status pursuant to Section
12 1101(a)(15)(U) of Title 8 of the United States Code;
13 or

14 (C) a formal application with the appropriate
15 federal agency for status under Section 1158 of Title
16 8 of the United States Code; or

17 (2) the applicant, or a representative of the
18 applicant if the applicant is not competent, has provided
19 to the Department:

20 (A) a sworn statement that he or she is a
21 foreign-born victim of trafficking, torture, or other
22 serious crimes; and

23 (B) at least one item of additional credible
24 evidence, including, but not limited to, any of the
25 following:

26 (i) police, government agency, or court

1 records or files;

2 (ii) news articles;

3 (iii) documentation from a social services,
4 trafficking, domestic violence program or rape
5 crisis center, or a legal, clinical, medical, or
6 other professional from whom the applicant or
7 recipient has sought assistance in dealing with
8 the crime;

9 (iv) a statement from any other individual
10 with knowledge of the circumstances that provided
11 the basis for the claim;

12 (v) physical evidence;

13 (vi) a copy of a completed visa application;

14 or

15 (vii) written notice from the federal agency
16 of receipt of the visa application.

17 (b) The Department may, in its discretion, provide ~~cash~~
18 ~~assistance~~ or SNAP benefits pursuant to this Article to an
19 applicant who cannot provide additional evidence as set forth
20 in subparagraph (B) of paragraph (2) of subsection (a) if:

21 (1) the applicant, or a representative of the
22 applicant if the applicant is not competent, has provided
23 a sworn statement that he or she is a foreign-born victim
24 of trafficking, torture, or other serious crimes; and

25 (2) the Department determines that the applicant is
26 credible.

1 (Source: P.A. 99-870, eff. 8-22-16.)

2 (305 ILCS 5/16-4)

3 Sec. 16-4. Work requirements and exemptions.

4 (a) Persons who are foreign-born victims of trafficking,
5 torture, or other serious crimes and who are receiving ~~cash~~
6 ~~assistance~~ or SNAP benefits under this Article shall be
7 subject to the same work requirements and work requirement
8 exemptions as other recipients of ~~cash assistance~~ or SNAP
9 benefits, provided that compliance with these requirements is
10 authorized by law.

11 (b) A person who is a foreign-born victim of trafficking,
12 torture, or other serious crimes shall be exempted from any
13 work requirements if physical or psychological trauma related
14 to or arising from the trafficking, torture, or other serious
15 crimes impedes his or her ability to comply.

16 (Source: P.A. 99-870, eff. 8-22-16.)

17 (305 ILCS 5/16-5)

18 Sec. 16-5. Termination of benefits.

19 (a) Any ~~cash assistance~~ or SNAP benefits provided under
20 this Article to a person who is a foreign-born victim of
21 trafficking, torture, or other serious crimes and his or her
22 derivative family members shall be terminated if there is a
23 final denial of that person's visa or asylum application under
24 Section 1101(a) (15) (T), 1101(a) (15) (U), or 1158 of Title 8 of

1 the United States Code.

2 (b) A person who is a foreign-born victim of trafficking,
3 torture, or other serious crimes and his or her derivative
4 family members shall be ineligible for continued State-funded
5 ~~cash assistance or~~ SNAP benefits provided under this Article
6 if that person has not filed a formal application for status
7 pursuant to Section 1101(a)(15)(T), 1101(a)(15)(U), or 1158 of
8 Title 8 of the United States Code within one year after the
9 date of his or her application for ~~cash assistance or~~ SNAP
10 benefits provided under this Article. The Department of Human
11 Services may extend the person's and his or her derivative
12 family members' eligibility for medical assistance, ~~cash~~
13 ~~assistance,~~ or SNAP benefits beyond one year if the Department
14 determines that the person, during the year of initial
15 eligibility (i) experienced a health crisis, (ii) has been
16 unable, after reasonable attempts, to obtain necessary
17 information from a third party, or (iii) has other extenuating
18 circumstances that prevented the person from completing his or
19 her application for status.

20 (Source: P.A. 99-870, eff. 8-22-16; 100-201, eff. 8-18-17.)

21 (305 ILCS 5/4-0.5 rep.)

22 (305 ILCS 5/4-1.2c rep.)

23 (305 ILCS 5/4-1.7 rep.)

24 (305 ILCS 5/4-1.8 rep.)

25 (305 ILCS 5/4-1.9 rep.)

1 (305 ILCS 5/4-7 rep.)

2 (305 ILCS 5/4-8 rep.)

3 (305 ILCS 5/4-21 rep.)

4 (305 ILCS 5/9A-1 rep.)

5 (305 ILCS 5/9A-5 rep.)

6 (305 ILCS 5/9A-7 rep.)

7 (305 ILCS 5/9A-16 rep.)

8 Section 15. The Illinois Public Aid Code is amended by
9 repealing Sections 4-0.5, 4-1.2c, 4-1.7, 4-1.8, 4-1.9, 4-7,
10 4-8, 4-21, 9A-1, 9A-5, 9A-7, and 9A-16.

11 Section 999. Effective date. This Act takes effect July 1,
12 2026.

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