



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB4192

Introduced 3/7/2022, by Sen. Ram Villivalam

SYNOPSIS AS INTRODUCED:

305 ILCS 5/1-10

305 ILCS 5/6-9

from Ch. 23, par. 6-9

Amends the Illinois Public Aid Code. Provides that persons shall not be determined ineligible for cash assistance provided under the General Assistance Article of the Code based upon a conviction for any drug-related felony under State or federal law. Provides that a local governmental unit may provide assistance to households under its General Assistance program following a disaster proclamation issued by the Governor if the local governmental unit is within the area designated under the proclamation.

LRB102 24005 KTG 33214 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 5. The Illinois Public Aid Code is amended by
5 changing Sections 1-10 and 6-9 as follows:

6 (305 ILCS 5/1-10)

7 Sec. 1-10. Drug convictions.

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

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

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

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

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

17 (Source: P.A. 102-178, eff. 10-30-21.)

18 (305 ILCS 5/6-9) (from Ch. 23, par. 6-9)

19 Sec. 6-9. (a) (1) A local governmental unit may provide
20 assistance to households under its General Assistance program
21 following a declaration by the President of the United States
22 of a major disaster or emergency pursuant to the Federal
23 Disaster Relief Act of 1974, as now or hereafter amended, if
24 the local governmental unit is within the area designated
25 under the declaration. A local governmental unit may also

1 provide assistance to households under its General Assistance
2 program following a disaster proclamation issued by the
3 Governor if the local governmental unit is within the area
4 designated under the proclamation. Assistance under this
5 Section may be provided to households which have suffered
6 damage, loss or hardships as a result of the major disaster or
7 emergency. Assistance under this Section may be provided to
8 households without regard to the eligibility requirements and
9 other requirements of this Code. Assistance under this Section
10 may be provided only during the 90-day period following the
11 date of declaration of a major disaster or emergency.

12 (2) A local governmental unit shall not use State funds to
13 provide assistance under this Section. If a local governmental
14 unit receives State funds to provide General Assistance under
15 this Article, assistance provided by the local governmental
16 unit under this Section shall not be considered in determining
17 whether a local governmental unit has qualified to receive
18 State funds under Article XII. A local governmental unit which
19 provides assistance under this Section shall not, as a result
20 of payment of such assistance, change the nature or amount of
21 assistance provided to any other individual or family under
22 this Article.

23 (3) This Section shall not apply to any municipality of
24 more than 500,000 population in which a separate program has
25 been established by the Illinois Department under Section 6-1.

26 (b) (1) A local governmental unit may provide assistance

1 to households for food and temporary shelter. To qualify for
2 assistance a household shall submit to the local governmental
3 unit: (A) such application as the local governmental unit may
4 require; (B) a copy of an application to the Federal Emergency
5 Management Agency (hereinafter "FEMA") or the Small Business
6 Administration (hereinafter "SBA") for assistance; (C) such
7 other proof of damage, loss or hardship as the local
8 governmental unit may require; and (D) an agreement to
9 reimburse the local governmental unit for the amount of any
10 assistance received by the household under this subsection
11 (b).

12 (2) Assistance under this subsection (b) may be in the
13 form of cash or vouchers. The amount of assistance provided to
14 a household in any month under this subsection (b) shall not
15 exceed the maximum amount payable under Section 6-2.

16 (3) No assistance shall be provided to a household after
17 it receives a determination of its application to FEMA or SBA
18 for assistance.

19 (4) A household which has received assistance under this
20 subsection (b) shall reimburse the local governmental unit in
21 full for any assistance received under this subsection. If the
22 household receives assistance from FEMA or SBA in the form of
23 loans or grants, the household shall reimburse the local
24 governmental unit from those funds. If the household's request
25 for assistance is denied or rejected by the FEMA or SBA, the
26 household shall repay the local governmental unit in

1 accordance with a repayment schedule prescribed by the local
2 governmental unit.

3 (c) (1) A local governmental unit may provide assistance
4 to households for structural repairs to homes or for repair or
5 replacement of home electrical or heating systems, bedding and
6 food refrigeration equipment. To qualify for assistance a
7 household shall submit to the local governmental unit:

8 (A) such application as the local governmental unit may
9 require; (B) a copy of claim to an insurance company for
10 reimbursement for the damage or loss for which assistance is
11 sought; (C) such other proof of damage, loss or hardship as the
12 local governmental unit may require; and (D) an agreement to
13 reimburse the local governmental unit for the amount of any
14 assistance received by the household under this subsection
15 (c).

16 (2) Any assistance provided under this subsection (c)
17 shall be in the form of direct payments to vendors, and shall
18 not be made directly to a household. The total amount of
19 assistance provided to a household under this subsection (c)
20 shall not exceed \$1,500.

21 (3) No assistance shall be provided to a household after
22 it receives a determination of its insurance claims.

23 (4) A household which has received assistance under this
24 subsection (c) shall reimburse the local governmental unit in
25 full for any assistance received under this subsection. If the
26 household's insurance claim is approved, the household shall

1 reimburse the local governmental unit from the proceeds. If
2 the household's insurance claim is denied, the household shall
3 repay the local governmental unit in accordance with a
4 repayment schedule prescribed by the local governmental unit.
5 (Source: P.A. 85-1233.)