



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

SB3162

Introduced 2/6/2024, by Sen. Lakesia Collins

#### SYNOPSIS AS INTRODUCED:

20 ILCS 1305/10-80 new

Amends the Department of Human Services Act. Provides that subject to appropriation, the Department of Human Services shall establish a diaper allowance program for eligible families with children 3 years of age or younger. Requires the Department to create an application process that requires applicants to submit an initial application for a diaper allowance and on an annual basis thereafter an application for a redetermination of eligibility. Requires the Department to maintain on its official website an online application system that permits an Illinois family to apply online for a diaper allowance or a redetermination of eligibility or to download a mail-in application form. Provides that paper application forms shall be made available at WIC offices and at family community resource centers throughout the State. Contains provisions concerning application requirements. Sets the monthly diaper allowance amount at \$70 for eligible children whose family income is at or below 100% of the federal poverty guidelines. Provides that families may receive a diaper allowance for each eligible child and that the diaper allowance shall not be considered income for purposes of determining eligibility or the amount of assistance for any public aid benefit provided under State law. Permits the Department to distribute diaper allowance amounts electronically to an eligible family by means of an electronic benefits transfer card issued by the Department. Permits the Department to adopt rules necessary to implement the program. Contains provisions on redetermination application requirements. Provides that an advisory committee shall advise the Department on program implementation. Sets forth the composition of the advisory committee and provides that the committee shall meet monthly beginning September 1, 2024 through July 1, 2026. Effective immediately.

LRB103 37045 KTG 67160 b

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Department of Human Services Act is amended  
5 by adding Section 10-80 as follows:

6 (20 ILCS 1305/10-80 new)

7 Sec. 10-80. Diaper allowance.

8 (a) Legislative intent. The General Assembly finds that:

9 (1) According to the National Diaper Bank Network, one  
10 out of every 2 families experience diaper insecurity.  
11 Despite this growing need, there are limited government  
12 programs available for families to access diapers.

13 (2) A lack of diapers has significant physical,  
14 financial, and emotional impacts on young children and  
15 their caregivers.

16 (3) In order for Illinois to be the best state in the  
17 nation to raise a family, we must ensure caregivers are  
18 able to access this basic need.

19 (b) As used in this Section:

20 "Eligible child" means any child who is 3 years of age or  
21 younger and whose primary residence is the State of Illinois.

22 "WIC" means the federal Special Supplemental Nutrition  
23 Program for Women, Infants, and Children.

1       (c) Diaper allowance program; application process. Subject  
2 to appropriation, the Department shall establish a diaper  
3 allowance program for eligible families with children 3 years  
4 of age or younger. The Department shall create an application  
5 process that requires applicants to submit an initial  
6 application for a diaper allowance and on an annual basis  
7 thereafter an application for a redetermination of  
8 eligibility. The Department shall maintain on its official  
9 website an online application system that permits an Illinois  
10 family to apply online for a diaper allowance or a  
11 redetermination of eligibility or to download a mail-in  
12 application form. Paper application forms shall be made  
13 available at WIC offices and at family community resource  
14 centers throughout the State. An application for a diaper  
15 allowance or a redetermination of eligibility must include all  
16 of the following information:

17       (1) The name of each eligible child and the name of the  
18 applicant who is primarily responsible for the welfare of  
19 each identified child.

20       (2) The address of the primary residence of each  
21 eligible child and applicant.

22       (3) The applicant's household income. Acceptable forms  
23 of income verification shall include a copy of the  
24 applicant's most recent W-2 form or copies of the  
25 applicant's 2 most recent pay stubs. Other methods of  
26 income verification may be accepted by the Department as

1 prescribed by rule.

2 (4) The applicant's written signature, if submitting a  
3 paper application. The applicant's digital or electronic  
4 signature, if submitting an online application.

5 (d) Eligibility. A child is eligible for a diaper  
6 allowance in the amount of \$70 per month if all of the  
7 following conditions are met:

8 (1) the applicant's household income is at or below  
9 100% of the federal poverty guidelines updated  
10 periodically in the Federal Register by the U.S.  
11 Department of Health and Human Services under the  
12 authority of 42 U.S.C. 9902(2); and

13 (2) the applicant is primarily responsible for the  
14 child's welfare.

15 An applicant may submit one application for all eligible  
16 children whose welfare the applicant is responsible for, and  
17 may receive a diaper allowance for each eligible child.

18 Diaper allowance benefits shall not be considered income  
19 for purposes of determining eligibility or the amount of  
20 assistance for any other public aid benefit provided under  
21 State law.

22 (e) Implementation.

23 (1) The Department shall administer the diaper  
24 allowance program through the Division of Family and  
25 Community Services.

26 (2) Diaper allowance benefits shall be distributed in

1 the name of the applicant in a form and manner prescribed  
2 by the Department. If possible, diaper allowance benefits  
3 may be distributed electronically to the applicant by  
4 means of an electronic benefits transfer card issued by  
5 the Department.

6 (3) The Department may adopt any additional rules  
7 necessary to implement this Section.

8 (f) Redetermination. In order to receive uninterrupted  
9 diaper allowance benefits, an applicant must file a  
10 redetermination application within 30 days before the  
11 expiration of the applicant's benefits. If any additional  
12 information is requested by the Department, the applicant must  
13 respond within 15 calendar days after the date the  
14 verification was requested in order to ensure there is no  
15 interruption of benefits.

16 (g) Advisory committee. An advisory committee shall advise  
17 the Department concerning the implementation of the diaper  
18 allowance program. The advisory committee shall include:

19 (1) the Secretary of Human Services, or the  
20 Secretary's designee;

21 (2) the Governor, or the Governor's designee;

22 (3) one member appointed by the President of the  
23 Senate;

24 (4) one member appointed by the Speaker of the House  
25 of Representatives; and

26 (5) three members appointed by the Governor as

1           follows:

2                   (A) one member of a community-based organization  
3                   which currently distributes diapers to families;

4                   (B) one member of an organization with experience  
5                   providing access to diapers to families via a debit  
6                   card or other electronic issuance method; and

7                   (C) one caregiver who has been directly impacted  
8                   by a lack of diapers for his or her child.

9           The advisory committee shall be staffed by the Department  
10           of Human Services. The advisory committee shall meet monthly  
11           starting on September 1, 2024 through July 1, 2026.

12           Section 99. Effective date. This Act takes effect upon  
13           becoming law.