

1 AN ACT in relation to public aid.

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

4 Section 5. The Illinois Public Aid Code is amended by
5 changing Sections 4-2, 9A-3, 9A-5, 9A-7, 9A-8, 9A-9, 11-1,
6 and 11-20.1 as follows:

7 (305 ILCS 5/4-2) (from Ch. 23, par. 4-2)

8 Sec. 4-2. Amount of aid.

9 (a) The amount and nature of financial aid shall be
10 determined in accordance with the grant amounts, rules and
11 regulations of the Illinois Department. Due regard shall be
12 given to the self-sufficiency requirements of the family and
13 to the income, money contributions and other support and
14 resources available, from whatever source. However, the
15 amount and nature of any financial aid is not affected by the
16 payment of any grant under the "Senior Citizens and Disabled
17 Persons Property Tax Relief and Pharmaceutical Assistance
18 Act" or any distributions or items of income described under
19 subparagraph (X) of paragraph (2) of subsection (a) of
20 Section 203 of the Illinois Income Tax Act. The aid shall be
21 sufficient, when added to all other income, money
22 contributions and support to provide the family with a grant
23 in the amount established by Department regulation.

24 (b) The Illinois Department may conduct special
25 projects, which may be known as Grant Diversion Projects,
26 under which recipients of financial aid under this Article
27 are placed in jobs and their grants are diverted to the
28 employer who in turn makes payments to the recipients in the
29 form of salary or other employment benefits. The Illinois
30 Department shall by rule specify the terms and conditions of
31 such Grant Diversion Projects. Such projects shall take into

1 consideration and be coordinated with the programs
2 administered under the Illinois Emergency Employment
3 Development Act.

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

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

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

23 Grants under this Article shall not be supplemented by
24 General Assistance provided under Article VI.

25 (e) Grants shall be paid to the parent or other person
26 with whom the child or children are living, except for such
27 amount as is paid in behalf of the child or his parent or
28 other relative to other persons or agencies pursuant to this
29 Code or the rules and regulations of the Illinois Department.

30 (f) Subject to subsection (f-5), an assistance unit,
31 receiving financial aid under this Article or temporarily
32 ineligible to receive aid under this Article under a penalty
33 imposed by the Illinois Department for failure to comply with
34 the eligibility requirements or that voluntarily requests

1 termination of financial assistance under this Article and
2 becomes subsequently eligible for assistance within 9 months,
3 shall not receive any increase in the amount of aid solely on
4 account of the birth of a child; except that an increase is
5 not prohibited when the birth is (i) of a child of a pregnant
6 woman who became eligible for aid under this Article during
7 the pregnancy, or (ii) of a child born within 10 months after
8 the date of implementation of this subsection, or (iii) of a
9 child conceived after a family became ineligible for
10 assistance due to income or marriage and at least 3 months of
11 ineligibility expired before any reapplication for
12 assistance. This subsection does not, however, prevent a
13 unit from receiving a general increase in the amount of aid
14 that is provided to all recipients of aid under this Article.

15 The Illinois Department is authorized to transfer funds,
16 and shall use any budgetary savings attributable to not
17 increasing the grants due to the births of additional
18 children, to supplement existing funding for employment and
19 training services for recipients of aid under this Article
20 IV. The Illinois Department shall target, to the extent the
21 supplemental funding allows, employment and training services
22 to the families who do not receive a grant increase after the
23 birth of a child. In addition, the Illinois Department shall
24 provide, to the extent the supplemental funding allows, such
25 families with up to 24 months of transitional child care
26 pursuant to Illinois Department rules. All remaining
27 supplemental funds shall be used for employment and training
28 services or transitional child care support.

29 In making the transfers authorized by this subsection,
30 the Illinois Department shall first determine, pursuant to
31 regulations adopted by the Illinois Department for this
32 purpose, the amount of savings attributable to not increasing
33 the grants due to the births of additional children.
34 Transfers may be made from General Revenue Fund

1 appropriations for distributive purposes authorized by
2 Article IV of this Code only to General Revenue Fund
3 appropriations for employability development services
4 including operating and administrative costs and related
5 distributive purposes under Article IXA of this Code. The
6 Director, with the approval of the Governor, shall certify
7 the amount and affected line item appropriations to the State
8 Comptroller.

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

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

24 (g) (Blank).

25 (h) Notwithstanding any other provision of this Code,
26 the Illinois Department is authorized to reduce payment
27 levels used to determine cash grants under this Article after
28 December 31 of any fiscal year if the Illinois Department
29 determines that the caseload upon which the appropriations
30 for the current fiscal year are based have increased by more
31 than 5% and the appropriation is not sufficient to ensure
32 that cash benefits under this Article do not exceed the
33 amounts appropriated for those cash benefits. Reductions in
34 payment levels may be accomplished by emergency rule under

1 Section 5-45 of the Illinois Administrative Procedure Act,
2 except that the limitation on the number of emergency rules
3 that may be adopted in a 24-month period shall not apply and
4 the provisions of Sections 5-115 and 5-125 of the Illinois
5 Administrative Procedure Act shall not apply. Increases in
6 payment levels shall be accomplished only in accordance with
7 Section 5-40 of the Illinois Administrative Procedure Act.
8 Before any rule to increase payment levels promulgated under
9 this Section shall become effective, a joint resolution
10 approving the rule must be adopted by a roll call vote by a
11 majority of the members elected to each chamber of the
12 General Assembly.

13 (Source: P.A. 91-676, eff. 12-23-99; 92-111, eff. 1-1-02.)

14 (305 ILCS 5/9A-3) (from Ch. 23, par. 9A-3)

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

17 (a) The Illinois Department shall establish and maintain
18 a program to provide recipients with services consistent with
19 the purposes and provisions of this Article. The program
20 offered in different counties of the State may vary depending
21 on the resources available to the State to provide a program
22 under this Article, and no program may be offered in some
23 counties, depending on the resources available. Services may
24 be provided directly by the Illinois Department or through
25 contract. References to the Illinois Department or staff of
26 the Illinois Department shall include contractors when the
27 Illinois Department has entered into contracts for these
28 purposes. The Illinois Department shall provide each
29 recipient who participates with such services available under
30 the program as are necessary to achieve his employability
31 plan as specified in the plan.

32 (b) The Illinois Department, in operating the program,
33 shall cooperate with public and private education and

1 vocational training or retraining agencies or facilities, the
 2 Illinois State Board of Education, the Illinois Community
 3 College Board, the Departments of Employment Security and
 4 Commerce and Community Affairs or other sponsoring
 5 organizations funded under the federal Workforce Investment
 6 Job-Training-Partnership Act and other public or licensed
 7 private employment agencies.

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

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

10 Sec. 9A-5. Exempt recipients.

11 (a) Exempt recipients under Section 9A-4 may volunteer
 12 to participate.

13 (b) Services will be offered to exempt and non-exempt
 14 individuals who wish to volunteer to participate only to the
 15 extent resources permit.

16 (c) Exempt and non-exempt individuals who volunteer to
 17 participate become program participants upon completion of
 18 the initial assessment, development of the employability
 19 plan, and assignment to a component. An exempt individual who
 20 volunteers to participate may not be sanctioned for not
 21 meeting program requirements. ~~Volunteers who fail to attend~~
 22 ~~the orientation or initial assessment meetings or both will~~
 23 ~~not be sanctioned. Exempt and non-exempt individuals who~~
 24 ~~attend the orientation meeting and become program~~
 25 ~~participants by completing the initial assessment,~~
 26 ~~development of the employability plan, and assignment to a~~
 27 ~~component may be sanctioned if they do not meet program~~
 28 ~~requirements without good cause.~~

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

30 (305 ILCS 5/9A-7) (from Ch. 23, par. 9A-7)

31 Sec. 9A-7. Good Cause and Pre-Sanction Process.

32 The Department shall establish by rule what constitutes

1 good cause for failure to participate in education, training
2 and employment programs, failure to accept suitable
3 employment or terminating employment or reducing earnings.

4 The Department shall establish, by rule, a pre-sanction
5 process to assist in resolving disputes over proposed
6 sanctions and in determining if good cause exists. Good cause
7 shall include, but not be limited to:

- 8 (1) temporary illness for its duration;
- 9 (2) court required appearance or temporary
10 incarceration;
- 11 (3) (blank);
- 12 (4) death in the family;
- 13 (5) (blank);
- 14 (6) (blank);
- 15 (7) (blank);
- 16 (8) (blank);
- 17 (9) extreme inclement weather;
- 18 (10) (blank);
- 19 (11) lack of any support service even though the
20 necessary service is not specifically provided under the
21 Department program, to the extent the lack of the needed
22 service presents a significant barrier to participation;
- 23 (12) if an individual is engaged in employment or
24 training or both that is consistent with the employment
25 related goals of the program, if such employment and
26 training is later approved by Department staff;
- 27 (13) (blank);
- 28 (14) failure of Department staff to correctly
29 forward the information to other Department staff;
- 30 (15) failure of the participant to cooperate
31 because of attendance at a test or a mandatory class or
32 function at an educational program (including college),
33 when an education or training program is officially
34 approved by the Department;

1 (16) failure of the participant due to his or her
2 illiteracy;

3 (17) failure of the participant because it is
4 determined that he or she should be in a different
5 activity;

6 (18) non-receipt by the participant of a notice
7 advising him or her of a participation requirement, ~~if~~
8 ~~documented by the participant. Documentation can include,~~
9 ~~but is not limited to: a written statement from the post~~
10 ~~office or other informed individual; the notice not sent~~
11 ~~to the participant's last known address in Department~~
12 ~~records; return of the notice by the post office; other~~
13 ~~returned mail; proof of previous mail theft problems.~~
14 ~~When determining whether or not the participant has~~
15 ~~demonstrated non-receipt, the Department shall take into~~
16 ~~consideration a participant's history of cooperation or~~
17 ~~non-cooperation in the past.~~ If the documented
18 non-receipt of mail occurs frequently, the Department
19 shall explore an alternative means of providing notices
20 of participation requests to participants;

21 (19) (blank);

22 (20) non-comprehension of English, either written
23 or oral or both;

24 (21) (blank);

25 (22) (blank);

26 (23) child care (or day care for an incapacitated
27 individual living in the same home as a dependent child)
28 is necessary for the participation or employment and such
29 care is not available for a child under age 13;

30 (24) failure to participate in an activity due to a
31 scheduled job interview, medical appointment for the
32 participant or a household member, or school appointment;

33 (25) the individual is homeless. Homeless
34 individuals (including the family) have no current

1 residence and no expectation of acquiring one in the next
2 30 days. This includes individuals residing in overnight
3 and transitional (temporary) shelters. This does not
4 include individuals who are sharing a residence with
5 friends or relatives on a continuing basis;

6 (26) circumstances beyond the control of the
7 participant which prevent the participant from completing
8 program requirements; or

9 (27) (blank).

10 (b) (Blank).

11 (c) (1) The Department shall establish a reconciliation
12 procedure to assist in resolving disputes related to any
13 aspect of participation, including exemptions, good
14 cause, sanctions or proposed sanctions, supportive
15 services, assessments, responsibility and service plans,
16 assignment to activities, suitability of employment, or
17 refusals of offers of employment. Through the
18 reconciliation process the Department shall have a
19 mechanism to identify good cause, ensure that the client
20 is aware of the issue, and enable the client to perform
21 required activities without facing sanction.

22 (2) A participant may request reconciliation and
23 receive notice in writing of a meeting. At least one
24 face-to-face meeting may be scheduled to resolve
25 misunderstandings or disagreements related to program
26 participation and situations which may lead to a
27 potential sanction. The meeting will address the
28 underlying reason for the dispute and plan a resolution
29 to enable the individual to participate in TANF
30 employment and work activity requirements.

31 (2.5) If the individual fails to appear at the
32 reconciliation meeting without good cause, the
33 reconciliation is unsuccessful and a sanction shall be
34 imposed.

1 (3) The reconciliation process shall continue after
2 it is determined that the individual did not have good
3 cause for non-cooperation. Any necessary demonstration
4 of cooperation on the part of the participant will be
5 part of the reconciliation process. Failure to
6 demonstrate cooperation will result in immediate
7 sanction.

8 (4) For the first instance of non-cooperation, if
9 the client reaches agreement to cooperate, the client
10 shall be allowed 30 days to demonstrate cooperation
11 before any sanction activity may be imposed. In any
12 subsequent instances of non-cooperation, the client shall
13 be provided the opportunity to show good cause or remedy
14 the situation by immediately complying with the
15 requirement.

16 (5) The Department shall document in the case
17 record the proceedings of the reconciliation and provide
18 the client in writing with a reconciliation agreement.

19 (6) If reconciliation resolves the dispute, no
20 sanction shall be imposed. If the client fails to comply
21 with the reconciliation agreement, the Department shall
22 then immediately impose the original sanction. If the
23 dispute cannot be resolved during reconciliation, a
24 sanction shall not be imposed until the reconciliation
25 process is complete.

26 (Source: P.A. 90-17, eff. 7-1-97.)

27 (305 ILCS 5/9A-8) (from Ch. 23, par. 9A-8)

28 Sec. 9A-8. Operation of Program.

29 (a) At the time of application or redetermination of
30 eligibility under Article IV, as determined by rule, the
31 Illinois Department shall provide information in writing and
32 orally regarding the education, training and employment
33 program to all applicants and recipients. The information

1 required shall be established by rule and shall include, but
2 need not be limited to:

3 (1) education (including literacy training),
4 employment and training opportunities available, the
5 criteria for approval of those opportunities, and the
6 right to request changes in the personal responsibility
7 and services plan to include those opportunities;

8 (1.1) a complete list of all activities that are
9 approvable activities, and the circumstances under which
10 they are approvable, including work activities, substance
11 abuse or mental health treatment, activities to escape
12 and prevent domestic violence, caring for a medically
13 impaired family member, and any other approvable
14 activities, together with the right to and procedures for
15 amending the responsibility and services plan to include
16 these activities;

17 (1.2) the rules concerning the lifetime limit on
18 eligibility, including the current status of the
19 applicant or recipient in terms of the months of
20 remaining eligibility, the criteria under which a month
21 will not count towards the lifetime limit, and the
22 criteria under which a recipient may receive benefits
23 beyond the end of the lifetime limit;

24 (2) supportive services including child care and
25 the rules regarding eligibility for and access to the
26 child care assistance program, transportation, initial
27 expenses of employment, job retention, books and fees,
28 and any other supportive services;

29 (3) the obligation of the Department to provide
30 supportive services;

31 (4) the rights and responsibilities of
32 participants, including exemption, sanction,
33 reconciliation, and good cause criteria and procedures,
34 termination for non-cooperation and reinstatement rules

1 and procedures, and appeal and grievance procedures; and
2 (5) the types and locations of child care services.

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

6 (c) (Blank).

7 (d) As part of the personal plan for achieving
8 employment and self-sufficiency, the Department shall conduct
9 an individualized assessment of the participant's
10 employability. ~~Except--as-to-participation-in-the-Get-A-Job~~
11 ~~Program,~~ No participant may be assigned to any component of
12 the education, training and employment activity prior to such
13 ~~assessment,~~~~provided-that-a-participant-may-be-assigned-up-to~~
14 ~~4-weeks-of-Job-Search-prior-to--such--assessment.~~ The plan
15 shall include collection of information on the individual's
16 background, proficiencies, skills deficiencies, education
17 level, work history, employment goals, interests, aptitudes,
18 and employment preferences, as well as factors affecting
19 employability or ability to meet participation requirements
20 (e.g., health, physical or mental limitations, child care,
21 family circumstances, domestic violence, substance abuse, and
22 special needs of any child of the individual). As part of
23 the plan, individuals and Department staff shall work
24 together to identify any supportive service needs required to
25 enable the client to participate and meet the objectives of
26 his or her employability plan. The assessment may be
27 conducted through various methods such as interviews,
28 testing, counseling, and self-assessment instruments. In the
29 assessment process, the Department shall offer to include
30 standard literacy testing and a determination of English
31 language proficiency and shall provide it for those who
32 accept the offer. ~~for-those-who-display-a-potential-need--for~~
33 ~~literacy-or-language-services.--For-these-individuals-subject~~
34 ~~to--a--job--search-demonstration,-there-may-be-an-abbreviated~~

1 ~~assessment, as defined by rule.~~ Based on the assessment, the
2 individual will be assigned to the appropriate activity. The
3 decision will be based on a determination of the individual's
4 level of preparation for employment as defined by rule.

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

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

13 (1) contain an employment goal of the participant;

14 (2) describe the services to be provided by the
15 Department, including child care and other support
16 services;

17 (3) describe the activities, such as component
18 assignment, that will be undertaken by the participant to
19 achieve the employment goal; and

20 (4) describe any other needs of the family that
21 might be met by the Department.

22 (g) The employability plan shall take into account:

23 (1) available program resources;

24 (2) the participant's support service needs;

25 (3) the participant's skills level and aptitudes;

26 (4) local employment opportunities; and

27 (5) the preferences of the participant.

28 (h) A reassessment shall be conducted to assess a
29 participant's progress and to review the employability plan
30 on the following occasions:

31 (1) upon completion of an activity and before
32 assignment to an activity;

33 (2) upon the request of the participant;

34 (3) if the individual is not cooperating with the

1 requirements of the program; and

2 (4) if the individual has failed to make
3 satisfactory progress in an education or training
4 program.

5 Based on the reassessment, the Department may revise the
6 employability plan of the participant.

7 (Source: P.A. 90-17, eff. 7-1-97; 91-331, eff. 7-29-99.)

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

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

14 (a) Education (Below post secondary). In the Education
15 (below post secondary) activity, the individual receives
16 information, referral, counseling services and support
17 services to increase the individual's employment potential.
18 Participants may be referred to testing, counseling and
19 education resources. Educational activities will include
20 basic and remedial education; English proficiency classes;
21 high school or its equivalency (e.g., GED) or alternative
22 education at the secondary level; and with any educational
23 program, structured study time to enhance successful
24 participation. An individual's participation in an education
25 program such as literacy, basic adult education, high school
26 equivalency (GED), or a remedial program shall be limited to
27 2 years unless the individual also is working or
28 participating in a work activity approved by the Illinois
29 Department as defined by rule; this requirement does not
30 apply, however, to students enrolled in high school.

31 (b) Job Skills Training (Vocational). Job Skills
32 Training is designed to increase the individual's ability to
33 obtain and maintain employment. Job Skills Training

1 activities will include vocational skill classes designed to
2 increase a participant's ability to obtain and maintain
3 employment. Job Skills Training may include certificate
4 programs.

5 (c) Job Readiness. The job readiness activity is
6 designed to enhance the quality of the individual's level of
7 participation in the world of work while learning the
8 necessary essentials to obtain and maintain employment. This
9 activity helps individuals gain the necessary job finding
10 skills to help them find and retain employment that will lead
11 to economic independence.

12 (d) Job Search. Job Search may be conducted
13 individually or in groups. Job Search includes the provision
14 of counseling, job seeking skills training and information
15 dissemination. Group job search may include training in a
16 group session. Assignment exclusively to job search cannot
17 be in excess of 8 consecutive weeks (or its equivalent) in
18 any period of 12 consecutive months.

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

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

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

9 (g) Work Supplementation. In work supplementation, the
10 Department pays a wage subsidy to an employer who hires a
11 participant. The cash grant which a participant would
12 receive if not employed is diverted and the diverted cash
13 grant is used to pay the wage subsidy.

14 (h) Post Secondary Education. Post secondary education
15 must be administered by an educational institution accredited
16 under requirements of State law. ~~The Illinois Department may
17 not approve an individual's participation in any
18 post-secondary education program, other than full-time,
19 short-term vocational training for a specific job, unless the
20 individual also is employed part-time, as defined by the
21 Illinois Department by rule.~~

22 (i) Self Initiated Education. Participants who are
23 attending an institution of higher education or a vocational
24 or technical program of their own choosing and who are in
25 good standing, may continue to attend and receive supportive
26 services only if the educational program is approved by the
27 Department, and is in conformity with the participant's
28 personal plan for achieving employment and self-sufficiency
29 and the participant is employed part-time, as defined by the
30 Illinois Department by rule.

31 (j) Job Development and Placement. Department staff
32 shall develop through contacts with public and private
33 employers unsubsidized job openings for participants. Job
34 interviews will be secured for clients by the marketing of

1 participants for specific job openings. Job ready
2 individuals may be assigned to Job Development and Placement.

3 (k) Job Retention. The job retention component is
4 designed to assist participants in retaining employment.
5 Initial employment expenses and job retention services are
6 provided. The individual's support service needs are
7 assessed and the individual receives counseling regarding job
8 retention skills.

9 (l) (Blank).

10 (1-5) Transitional Jobs. These programs provide
11 temporary wage-paying work combined with case management and
12 other social services designed to address employment
13 barriers. The wage-paying work is treated as regular
14 employment for all purposes under this Code, and the
15 additional activities, as determined by the Transitional Jobs
16 provider, shall be countable work activities. The program
17 must comply with the anti-displacement provisions of this
18 Code governing the Work Experience program.

19 (m) Pay-after-performance Program. A parent may be
20 required to participate in a pay-after-performance program in
21 which the parent must work a specified number of hours to
22 earn the grant. The program shall comply with provisions of
23 this Code governing work experience programs.

24 (n) Community Service. Community service includes
25 unpaid work that the client performs in his or her community,
26 such as for a school, church, government agency, or nonprofit
27 organization. A-partieicipant-whose-youngest-child-is-13-years
28 of-age-or-older-may-be-required-to-perform-at-least-20--hours
29 of--community--service-per-week-as-a-condition-of-eligibility
30 for-aid-under-Artiele-IV.--The-Illinois-Department-shall-give
31 priority-to-community-service-placements-in--public--schools,
32 where--partieicipants-can-serve-as-hall-and-lunchroom-monitors,
33 assist-teachers,-and-perform-other-appropriate-services-

34 (Source: P.A. 89-289, eff. 1-1-96; 90-17, eff. 7-1-97;

1 90-457, eff. 1-1-98; 90-655, eff. 7-30-98.)

2 (305 ILCS 5/11-1) (from Ch. 23, par. 11-1)

3 Sec. 11-1. No discrimination). There shall be no
4 discrimination or denial of financial aid and social services
5 on account of the race, religion, color, national origin,
6 sex, marital status, or political affiliation of any
7 applicant or recipient. This paragraph shall not prevent the
8 Department from treating individuals differently as a result
9 of the rights and responsibilities that arise under law from
10 marital status.

11 Participation in any marriage promotion or family
12 formation activity is voluntary. Non-participation shall not
13 affect any person's eligibility for or receipt of financial
14 aid or social services in any program under this Code.

15 Where financial aid or social services are granted to
16 certain classes of persons under a program for which federal
17 funds are available, nothing in this Section shall require
18 granting of financial aid or social services to other persons
19 where federal funds would not be available as to those other
20 persons.

21 (Source: P.A. 80-354.)

22 (305 ILCS 5/11-20.1) (from Ch. 23, par. 11-20.1)

23 Sec. 11-20.1. Employment; Rights of recipient and
24 obligations of Illinois Department when recipients become
25 employed; Assistance when a recipient has employment or
26 earned income or both.

27 (a) When a recipient reports employment or earned
28 income, or both, or the Illinois Department otherwise learns
29 of a recipient's employment or earned income, or both, the
30 Illinois Department shall provide the recipient with:

31 (1) An explanation of how the earned income will
32 affect the recipient's eligibility for a grant, and

1 whether the recipient must engage in additional work
2 activities to meet the recipient's monthly work
3 activities requirement and what types of activities may
4 be approved for that purpose, and whether the employment
5 is sufficient to cause months of continued receipt of a
6 grant not to be counted against the recipient's lifetime
7 eligibility limit.

8 (2) An explanation of the Work Pays budgeting
9 process, and an explanation of how the first month's
10 income on a new job will be projected, and how the
11 recipient should report the new job to avoid the
12 Department overestimating the first month's income.

13 (3) An explanation of how the earned income will
14 affect the recipient's eligibility for food stamps,
15 whether the recipient will continue to receive food
16 stamps, and, if so, the amount of food stamps.

17 (4) The names and telephone numbers of all
18 caseworkers to whom the recipient's case or cases are
19 assigned or will be transferred, an explanation of which
20 type of case each worker will be handling, and the
21 effective date of the transfer.

22 (5) An explanation of the recipient's
23 responsibilities to report income and household
24 circumstances, the process by which quarterly reporting
25 forms are sent to recipients, where and to whom the
26 reports should be returned, the deadline by which reports
27 must be returned, instructions on how to fill out the
28 reports, an explanation of what the recipient should do
29 if he or she does not receive the form, advice on how to
30 prove the report was returned by the recipient such as by
31 keeping a copy, and an explanation of the effects of
32 failure to file reports.

33 (6) If the recipient will continue to receive a
34 grant, an explanation of the recipient's new fiscal month

1 and a statement as to when the recipient will receive his
2 or her grant.

3 (7) An explanation of Kidcare, Family Assist,
4 Family Care, and the 12 month extension of medical
5 assistance that is available when a grant is cancelled
6 due to earned income.

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

10 (9) An explanation of the availability of a child
11 care subsidy to all families below the child care
12 assistance program's income limit, how to apply for the
13 benefit through the Child Care Resource and Referral or
14 site-administered child care program or both, the nature
15 of the child care program's sliding scale co-payments,
16 the availability of the 10% earned income disregard in
17 determining eligibility for child care assistance and the
18 amount of the parent co-payment, the right to use the
19 subsidy for either licensed or license exempt legal care,
20 and the availability of benefits when the parent is
21 engaged in an education and training program.

22 (10) (Blank).

23 (11) (Blank).

24 (11a) (Blank).

25 (12) (Blank).

26 (13) An explanation of the availability of payment
27 for initial expenses of employment and how to request or
28 apply for it.

29 (14) An explanation of the job retention component
30 and how to participate in it, and an explanation of the
31 recipient's eligibility to receive supportive services to
32 participate in education and training programs while
33 working.

34 (15) A statement of the types of assistance that

1 will be provided to the person automatically or continued
2 and a statement of the types of assistance for which the
3 person must apply or reapply.

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

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

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

24 (19) An explanation of the earned income tax credit
25 and the procedures by which it may be obtained and the
26 rules for disregarding it in determining eligibility for
27 and the amount of assistance.

28 (20) An explanation of the education and training
29 opportunities available to recipients.

30 (b) The information listed in subsection (a) shall be
31 provided to the recipient on an individual basis during an
32 in-person meeting with a representative of the Illinois
33 Department. The individual in-person meeting shall be held
34 at a time which does not conflict with the recipient's work

1 schedule within 30 days of the date the recipient begins
2 working. If the recipient informs the Illinois Department
3 that an in-person meeting would be inconvenient, the Illinois
4 Department may provide the information during a home visit,
5 by telephone, or by mail within 30 days of the date the
6 recipient begins working, whichever the client prefers.

7 (c) At the conclusion of the meeting described in
8 subsection (b), the Illinois Department shall ensure that all
9 case transfers and calculations of benefits necessitated by
10 the recipient's employment or receipt of earned income have
11 been performed, that applications have been made or provided
12 for all benefits for which the person must apply or reapply,
13 and that the person has received payment for initial expenses
14 of employment.

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

16 Section 99. Effective date. This Act takes effect upon
17 becoming law.