



Rep. Mary E. Flowers

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09800HB0641ham003

LRB098 03464 KTG 44061 a

1 AMENDMENT TO HOUSE BILL 641

2 AMENDMENT NO. _____. Amend House Bill 641 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Public Aid Code is amended by
5 changing Section 1-10 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 a
11 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. The Department may exempt persons applying for

1 cash assistance from this prohibition, if all of the following
2 circumstances apply:

3 (1) The Class X or Class 1 felony conviction occurred
4 at least 5 years prior to the date of application for cash
5 assistance.

6 (2) The person has no subsequent criminal conviction.

7 (3) The person has satisfactorily completed a period of
8 probation or is in the process of completing or has
9 completed participation in a drug treatment program,
10 aftercare program, or similar program as defined by rule.

11 (b) Persons convicted of any other felony under the
12 Illinois Controlled Substances Act, the Cannabis Control Act,
13 or the Methamphetamine Control and Community Protection Act
14 which is not a Class X or Class 1 felony, or comparable federal
15 criminal law which has as an element the possession, use, or
16 distribution of a controlled substance, as defined in Section
17 102(6) of the federal Controlled Substances Act (21 U.S.C.
18 802(c)), shall not be eligible for cash assistance provided
19 under this Code ~~for 2 years from the date of conviction~~. This
20 prohibition shall not apply if the person has satisfactorily
21 completed a period of probation or is in the process of
22 completing or has completed participation in a drug treatment
23 program, ~~is in a drug treatment program,~~ aftercare program, or
24 similar program as defined by rule.

25 (c) Persons shall not be determined ineligible for food
26 stamps provided under this Code based upon a conviction of any

1 felony or comparable federal or State criminal law which has an
2 element the possession, use or distribution of a controlled
3 substance, as defined in Section 102(6) of the federal
4 Controlled Substance Act (21 U.S.C. 802(c)).
5 (Source: P.A. 94-556, eff. 9-11-05.)".