



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB2682

Introduced 2/6/2025, by Rep. Lilian Jiménez

SYNOPSIS AS INTRODUCED:

305 ILCS 5/4-22

Amends the Temporary Assistance For Needy Families Article of the Illinois Public Aid Code. Requires the Department of Human Services to implement the federal Family Violence Option created by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, P.L. 104-193, and other specified federal provisions that permit state agencies to waive TANF work and self-sufficiency requirements for individuals who are the victims of domestic or sexual violence. Contains provisions on how individuals may apply for a "good cause" waiver of TANF requirements due to domestic or sexual violence, including, provisions concerning required documentation or third-party verification to support a good cause waiver claim; and the option to self-attest to a claim of domestic or sexual violence in support of a good cause waiver claim. Contains provisions on notification requirements imposed on the Department; crisis assistance funding; rulemaking; and data reporting requirements.

LRB104 09702 KTG 19768 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 Section 4-22 as follows:

6 (305 ILCS 5/4-22)

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

8 (a) Findings and policy. The General Assembly finds that
9 it is the policy of the State of Illinois that:

10 (1) no individual or family should be forced to remain
11 in a violent living situation or place themselves or
12 others at risk in order to attain or retain TANF
13 assistance; and

14 (2) no individual or family should be unfairly
15 penalized because past or present domestic or sexual
16 violence or the risk of domestic or sexual violence causes
17 them to fail to comply with TANF program requirements for
18 assistance.

19 ~~The assessment process to develop the personal plan for~~
20 ~~achieving self sufficiency shall include questions that screen~~
21 ~~for domestic and sexual violence issues. If the individual~~
22 ~~indicates that he or she is the victim of domestic or sexual~~
23 ~~violence and indicates a need to address domestic or sexual~~

1 ~~violence issues in order to reach self-sufficiency, the plan~~
2 ~~shall take this factor into account in determining the work,~~
3 ~~education, and training activities suitable to the client for~~
4 ~~achieving self-sufficiency. In addition, in such a case,~~
5 ~~specific steps needed to directly address the domestic or~~
6 ~~sexual violence issues may also be made part of the plan,~~
7 ~~including referral to an available domestic or sexual violence~~
8 ~~program. The Department shall conduct an individualized~~
9 ~~assessment and grant waivers of program requirements and other~~
10 ~~required activities for victims of domestic violence to the~~
11 ~~fullest extent allowed by 42 U.S.C. 602(a)(7)(A), and shall~~
12 ~~apply the same laws, regulations, and policies to victims of~~
13 ~~sexual violence. The duration of such waivers shall be~~
14 ~~initially determined and subsequently redetermined on a~~
15 ~~case-by-case basis. There shall be no limitation on the total~~
16 ~~number of months for which waivers under this Section may be~~
17 ~~granted, but continuing eligibility for a waiver shall be~~
18 ~~redetermined no less often than every 6 months.~~

19 (a-5) Definitions. As used in this Section:

20 "Domestic violence" has the meaning ascribed to it in
21 Section 103 of the Illinois Domestic Violence Act of 1986.

22 "Sexual assault" or "sexual violence" means any conduct of
23 an adult or minor child proscribed in Article 11 of the
24 Criminal Code of 2012, except for Sections 11-35, 11-40, and
25 11-45 of the Criminal Code of 2012, including conduct
26 committed by a perpetrator who is a stranger to the victim and

1 conduct by a perpetrator who is known or related by blood or
2 marriage to the victim.

3 (b) In recognition of the reality of domestic or sexual
4 violence for many individuals and families who may need
5 assistance, when making determinations as to an individual's
6 compliance with TANF program requirements, the Department of
7 Human Services shall implement the federal Family Violence
8 Option created under Section 402 of the Personal
9 Responsibility and Work Opportunity Reconciliation Act of
10 1996, (P.L. 104-193), and as set forth in 42 U.S.C. 602(a)(7),
11 including any implementing federal regulations at Part 260,
12 Subtitle B, Chapter II, Title 45 of the Code of Federal
13 Regulations.

14 (c) In accordance with subsection (b) and Section
15 402(a)(8) of the Social Security Act as amended by the federal
16 Consolidated Appropriations Act, 2022 (P.L. 117-103), the
17 Department shall:

18 (1) evaluate its policy of identifying individuals who
19 are victims of domestic or sexual violence;

20 (2) provide universal notification of the good cause
21 waiver at the time of an individual's initial TANF
22 application;

23 (3) refer individuals who are victims of domestic or
24 sexual violence to counseling, shelter, or other
25 appropriate services; and

26 (4) automatically waive TANF program requirements,

1 including, but not limited to, child support cooperation,
2 work requirements, and time limits for individuals who are
3 victims of domestic or sexual violence.

4 (d) Individuals who are victims of domestic or sexual
5 violence may provide documentation or third-party
6 verification, if possible, as evidence of the domestic or
7 sexual violence. If an individual is unable to obtain
8 documentation or third-party verification, then
9 self-attestation shall suffice to establish eligibility for a
10 good cause waiver based upon domestic or sexual violence. The
11 following shall establish eligibility for a good cause waiver:

12 (1) Documentation, including law enforcement records,
13 court records, medical or treatment records, social
14 service records, and child protective service records.

15 (2) Third-party verification of domestic or sexual
16 violence from any entity or individual who has knowledge
17 of the circumstances which serve as the basis for the good
18 cause waiver, including, but not limited to:

19 (A) a domestic violence or sexual violence service
20 provider;

21 (B) a clergy member or religious leader;

22 (C) a medical, psychological, or social service
23 provider;

24 (D) a law enforcement professional;

25 (E) a legal representative; or

26 (F) an acquaintance, friend, relative, or neighbor

1 of the claimant, or any other individual.

2 (3) Self-attestation. If an individual is unable to
3 obtain any of the items of evidence or documentation
4 described in paragraphs (1) and (2), then the individual
5 may self-affirm that he or she cannot safely comply with a
6 TANF program requirement due to domestic or sexual
7 violence.

8 (e) The Department shall create a Family Safety Notice
9 form that:

10 (1) describes domestic and sexual violence;

11 (2) list the waivers available for TANF recipients who
12 are victims of domestic or sexual violence;

13 (3) describes the Department's procedure and appeal
14 process when making a determination as to an individual's
15 eligibility for a good cause waiver;

16 (4) lists the contact information of an available
17 statewide domestic and sexual violence organization; and

18 (5) provides a verification form that:

19 (A) defines a good cause waiver claim;

20 (B) lists acceptable documentation to support a
21 claim of domestic or sexual violence as described in
22 paragraph (1) of subsection (d);

23 (C) describes the entities and individuals
24 permitted to provide third-party verification of
25 domestic or sexual violence as provided in paragraph
26 (2) of subsection (d);

1 (D) explains that the if an individual is unable
2 to obtain any of the documentation or third-party
3 verification described in paragraphs (1) and (2) of
4 subsection (d), the individual may self-affirm that he
5 or she cannot safely comply with a TANF program
6 requirement due to domestic or sexual violence.

7 The Department shall not require an individual applying
8 for or receiving TANF benefits to obtain an order of
9 protection or to leave the alleged abuser in order to obtain a
10 good cause waiver.

11 A good cause waiver determination based on domestic or
12 sexual violence shall be made within 15 calendar days from the
13 date the claim was initiated by the individual.

14 (f) Crisis assistance funding. If an individual is TANF
15 eligible and is provided a good cause waiver, the Department
16 must inform the individual of crisis assistance funding, upon
17 availability. When available, the Department shall provide
18 funding of no less than \$1250 to eligible individuals and
19 families for 4 months.

20 (g) ~~(b)~~ The Illinois Department shall develop and monitor
21 compliance procedures for its employees, contractors, and
22 subcontractors to ensure that any information pertaining to
23 any client who claims to be a past or present victim of
24 domestic violence or an individual at risk of further domestic
25 violence, whether provided by the victim or by a third party,
26 will remain confidential.

1 (h) ~~(e)~~ The Illinois Department shall develop and
2 implement a domestic violence training curriculum for Illinois
3 Department employees who serve applicants for and recipients
4 of aid under this Article. The curriculum shall be designed to
5 better equip those employees to identify and serve domestic
6 violence victims. The Illinois Department may enter into a
7 contract for the development of the curriculum with one or
8 more organizations providing services to domestic violence
9 victims. The Illinois Department shall adopt rules necessary
10 to implement this subsection.

11 (i) The Department shall adopt rules necessary to
12 implement the amendatory changes made to this Section by this
13 amendatory Act of the 104th General Assembly.

14 (j) The Department shall report data on the State's TANF
15 caseload, the number of individuals applying for a good cause
16 waiver, and the number of waivers granted. The Department
17 shall provide the number of individuals eligible and applying
18 for crisis assistance funding under this Section as part of
19 its annual report to the General Assembly. The report shall
20 exclude any personally identifiable information.

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