



Rep. Sonya M. Harper

**Filed: 3/1/2023**

10300HB2214ham002

LRB103 27204 KTG 58245 a

1 AMENDMENT TO HOUSE BILL 2214

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2214 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Public Aid Code is amended by  
5 adding Section 12-4.57 as follows:

6 (305 ILCS 5/12-4.57 new)

7 Sec. 12-4.57. Stolen SNAP benefits and AABD cash  
8 assistance via card skimming; data collection and reports.

9 (a) Individuals who have had their benefits provided under  
10 the federal Supplemental Nutrition Assistance Program (SNAP)  
11 or cash under the Aid to the Aged, Blind or Disabled (AABD)  
12 program stolen through card skimming, card cloning, or similar  
13 fraudulent methods, are at risk of significant food  
14 insecurity, hunger, and financial instability. To alleviate  
15 this risk, Illinois shall replace the benefits determined to  
16 be stolen as provided in subsections (c) through (e).

1       (b) As used in this Section, "electronic benefits transfer  
2 card" or "EBT card" means the card issued by the Department of  
3 Human Services for the purpose of enabling a user of the card  
4 to obtain federal Supplemental Nutrition Assistance Program  
5 benefits or cash assistance provided under Article III of this  
6 Code.

7       (c) Subject to appropriation, the Department of Human  
8 Services shall replace SNAP benefits that were stolen from a  
9 recipient's EBT card by means of card skimming, card cloning,  
10 or some other similar fraudulent method during the period  
11 January 1, 2022 through September 30, 2022 using State funds  
12 and by procedures that align with those set forth in the State  
13 Plan submitted to the U.S. Department of Agriculture's Food  
14 and Nutrition Service in accordance with the Consolidated  
15 Appropriations Act of 2023, Public Law 117-328.

16       (d) The Department of Human Services shall replace SNAP  
17 benefits that were stolen from a recipient's EBT card by means  
18 of card skimming, card cloning, or some other similar  
19 fraudulent method during the period October 1, 2022 through  
20 September 30, 2024 under the State Plan submitted to and  
21 approved by the U.S. Department of Agriculture's Food and  
22 Nutrition Service in accordance with the Consolidated  
23 Appropriations Act of 2023, Public Law 117-328.

24       (e) Subject to appropriation, the Department of Human  
25 Services shall replace cash assistance provided under Article  
26 III of this Code that was stolen from a recipient's EBT card by

1 means of card skimming, card cloning, or some other similar  
2 fraudulent method during the period January 1, 2022 through  
3 September 30, 2024. The Department may adopt any rules  
4 necessary to implement this provision, including rules on how  
5 to accept and substantiate recipient claims for stolen  
6 benefits. Where possible the rules for accepting and  
7 substantiating claims shall be consistent with the State Plan  
8 for SNAP replacement described in subsection (d) and submitted  
9 in accordance with the Consolidated Appropriations Act of  
10 2023, Public Law 117-328.

11 (f) As the State administrator of benefits provided under  
12 the federally funded Supplemental Nutrition Assistance  
13 Program, the Department of Human Services shall track and  
14 collect data on the scope and frequency of SNAP benefits fraud  
15 in this State where a SNAP recipient's benefits are stolen  
16 from the recipient's electronic benefits transfer card by  
17 means of card skimming, card cloning, or some other similar  
18 fraudulent method. The Department shall specifically keep a  
19 record of every report made to the Department by a SNAP  
20 recipient alleging the theft of benefits due to no fault of the  
21 recipient, the benefit amount stolen, and, if practicable, how  
22 those stolen benefits were used and the location of those  
23 thefts.

24 (g) The Department shall report its findings to the  
25 General Assembly on a quarterly basis beginning in calendar  
26 year 2024. The reports shall cover the period January 1

1 through March 31, April 1 through June 30, July 1 through  
2 September 30, and October 1 through December 31 of each year.  
3 The Department shall file the quarterly reports no later than  
4 the 15th day of the month following each period. A SNAP  
5 recipient's personally identifiable information shall be  
6 excluded from the reports consistent with State and federal  
7 privacy protections. Each quarterly report shall also be  
8 posted on the Department's official website.

9 (h) If the Department determines that a SNAP recipient has  
10 made a substantiated report of stolen benefits due to card  
11 skimming, card cloning, or some other similar fraudulent  
12 method, the Department shall refer the matter to the State's  
13 Attorney who has jurisdiction over the alleged theft or fraud  
14 and shall provide any assistance to that State's Attorney in  
15 the prosecution of the alleged theft or fraud."