

1 AMENDMENT TO SENATE BILL 2200

2 AMENDMENT NO. _____. Amend Senate Bill 2200 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 12-4.4 as follows:

6 (305 ILCS 5/12-4.4) (from Ch. 23, par. 12-4.4)

7 Sec. 12-4.4. Administration of federally-aided programs.
8 Direct County Departments of Public Aid in the administration
9 of the federally funded food stamp program, programs to aid
10 refugees and Articles III, IV, and V of this Code.

11 The Illinois Department of Human Services shall operate a
12 Food Stamp Employment and Training (FSE&T) program in
13 compliance with federal law. The FSE&T program will have an
14 Earnfare component. The Earnfare component shall be
15 available in selected geographic areas based on criteria
16 established by the Illinois Department of Human Services by
17 rule. To the extent resources allow, the Department of Human
18 Services may, by rule, mandate participation in Earnfare for
19 designated clients to earn their food stamp assistance
20 Participants-in-Earnfare-will, to the extent resources allow,
21 earn their assistance. Participants in Earnfare may also
22 earn cash assistance. To earn cash assistance, participation

1 in the Earnfare program is voluntary, except when ordered by
2 a court of competent jurisdiction. Eligibility for Earnfare
3 may be limited to only 6 months out of any 12 consecutive
4 month period. Clients are not entitled to be placed in an
5 Earnfare slot. Earnfare slots shall be made available only
6 as resources permit. Earnfare shall be available to persons
7 receiving food stamps who meet eligibility criteria
8 established by the Illinois Department of Human Services by
9 rule. The Illinois Department may, by rule, extend the
10 Earnfare Program to clients who do not receive food stamps.
11 Receipt of food stamps is not an eligibility requirement of
12 Earnfare when a court of competent jurisdiction orders an
13 individual to participate in the Earnfare Program. To the
14 extent resources permit, the Earnfare program will allow
15 participants to engage in work-related activities to earn
16 monthly financial assistance payments and to improve
17 participants' employability in order for them to succeed in
18 obtaining employment. The Illinois Department of Human
19 Services may enter into contracts with other public agencies
20 including State agencies, with local governmental units, and
21 with not-for-profit community based organizations to carry
22 out the elements of the Program that the Department of Human
23 Services deems appropriate.

24 The Earnfare Program shall contain the following
25 elements:

26 (1) To the extent resources allow and slots exist,
27 the Illinois Department of Human Services shall refer
28 recipients of food stamp assistance who meet eligibility
29 criteria, as established by rule. Receipt of food stamps
30 is not an eligibility requirement of Earnfare when a
31 court of competent jurisdiction orders an individual to
32 participate in the Earnfare Program.

33 (2) Persons participating in Earnfare shall engage
34 in employment assigned activities equal to the amount of

1 the food stamp benefits divided by the federal minimum
2 wage and subsequently shall earn minimum wage assistance
3 for each additional hour of performance in Earnfare
4 activity. Earnfare participants shall be offered the
5 opportunity to earn up to \$154. The Department of Human
6 Services may establish a higher amount by rule provided
7 resources permit. If a court of competent jurisdiction
8 orders an individual to participate in the Earnfare
9 program, hours engaged in employment assigned activities
10 shall first be applied for a \$50 payment made to the
11 custodial parent as a support obligation. If the
12 individual receives food stamps, the individual shall
13 engage in employment assigned activities equal to the
14 amount of the food stamp benefits divided by the federal
15 minimum wage and subsequently shall earn minimum wage
16 assistance for each additional hour of performance in
17 Earnfare activity.

18 (3) To the extent appropriate slots are available,
19 the Illinois Department of Human Services shall assign
20 Earnfare participants to Earnfare activities based on an
21 assessment of the person's age, literacy, education,
22 educational achievement, job training, work experience,
23 and recent institutionalization, whenever these factors
24 are known to the Department of Human Services or to the
25 contractor and are relevant to the individual's success
26 in carrying out the assigned activities and in ultimately
27 obtaining employment.

28 (4) The Department of Human Services shall consider
29 the participant's preferences and personal employment
30 goals in making assignments to the extent
31 administratively possible and to the extent that
32 resources allow.

33 (5) The Department of Human Services may enter into
34 cooperative agreements with local governmental units

1 (which may, in turn, enter into agreements with
2 not-for-profit community based organizations): with other
3 public, including State, agencies; directly with
4 not-for-profit community based organizations, and with
5 private employers to create Earnfare activities for
6 program participants.

7 (6) To the extent resources permit, the Department
8 of Human Services shall provide the Earnfare participants
9 with the costs of transportation in looking for work and
10 in getting to and from the assigned Earnfare job site and
11 initial expenses of employment.

12 (7) All income and asset limitations of the Federal
13 Food Stamp Program will govern continued Earnfare
14 participation, except that court ordered participants
15 shall participate for 6 months unless the court orders
16 otherwise.

17 (8) Earnfare participants shall not displace or
18 substitute for regular, full time or part time employees,
19 regardless of whether or not the employee is currently
20 working, on a leave of absence or in a position or
21 similar position where a layoff has taken place or the
22 employer has terminated the employment of any regular
23 employee or otherwise reduced its workforce with the
24 effect of filling the vacancy so created with a
25 participant subsidized under this program, or is or has
26 been involved in a labor dispute between a labor
27 organization and the sponsor.

28 (9) Persons who fail to cooperate with the FSE&T
29 program shall become ineligible for food stamp assistance
30 according to Food Stamp regulations, and for Earnfare
31 participation. Failure to participate in Earnfare for
32 all of the hours assigned is not a failure to cooperate
33 unless so established by the employer pursuant to
34 Department of Human Services rules. If a person who is

1 ordered by a court of competent jurisdiction to
2 participate in the Earnfare Program fails to cooperate
3 with the Program, the person shall be referred to the
4 court for failure to comply with the court order.
5 (Source: P.A. 92-111, eff. 1-1-02.)".