

HB88: Talking Points

Short description:

- HB88 stops the continued punishment of people coming back into the community after serving their time.

More Information:

- The Temporary Assistance for Needy Families (TANF) program provides cash assistance to extremely poor children and their families. It is a program where we receive federal funds needed to assist families living in poverty.
- This money helps families pay rent, buy shoes for their children, pay bus fare, and household necessities
- Only families with dependent children in the household can receive TANF.
- TANF is pegged at 30% of the FPL, so right now in Illinois a family of three would receive \$543/month.
- HB88 will repeal our state's felony drug ban for people eligible and applying for Temporary Assistance for Needy Families.
 - Currently if a person has a Class X or 1 drug felony they are banned from receiving TANF.
 - For individuals with other drug felonies they are barred for two years or when they have completed a substance use treatment program.
 - There is no other such provision for other convictions, felony or otherwise.
- Illinois repealed it's SNAP felony drug ban in 2014.
- This bill stops the continued punishment of people who have served their time.
- This ban is a 25 year old antiquated and racist policy and directly linked to the failed War on Drugs of the 1990s. It subjects a subset of people to a life sentence, with others serving an additional two years of continued punishment adding years to their sentences.

HB88-FAQ

What is TANF?

- The Temporary Assistance for Needy Families (TANF) program provides cash assistance to extremely poor children and their families. However, the TANF grant is not nearly enough for families to meet their basic needs, including rent, utilities, clothing, personal hygiene products, diapers, transportation, etc. To qualify for TANF benefits, adults must work or participate in work-related activities for at least 20 hours per week. Families are limited to five years (60 months) of TANF benefits.

How much does a family receive on TANF?

- It depends based on the family size. For a parent with two children they receive \$543/month.

What is the income threshold and other eligibility requirements for TANF?

- In order to be eligible to receive TANF a family must earn less than \$915 a month which is the measure of extreme poverty – below 50% of FPL (\$10,980/year for a family of 3). TANF recipients are required to work or participate in work-related activities 30 hours per week (20 hours if a single parent caring for child under age six) and they must work with DHS staff and develop a personalized plan (Responsibility and Services Plan) that outlines the steps they will take to become self-sufficient.

How much federal and state dollars goes to TANF income support in Illinois?

- For nearly 25 years Illinois has received a federal TANF block grant of \$585 million and must maintain countable state spending of \$430 million. Illinois' total TANF-related spending is just over 1 billion dollars. (\$1.015 billion)
- Only around 4% of TANF dollars (including state and federal funding) goes directly to families in the form of cash assistance. We are 50th in the nation in how we spend TANF dollars for cash grants.

What does this bill do?

- It repeals our state's felony drug ban for people applying for Temporary Assistance for Needy Families. Illinois repealed its SNAP felony drug ban in 2014. This bill stops the continued punishment of people who have served their time. This ban is an antiquated policy that subjects a subset of people to a life sentence, with others serving an additional two years of important time to get their lives back in order.

Isn't TANF administered at federal level?

- Yes, but when the federal government passed the felony ban as a part of restructuring welfare they also included a provision giving the states the opportunity to affirmatively remove the ban. States like Mississippi, Virginia, and West Virginia have repealed their drug bans.

What stops someone from using this money for drugs?

- Research from Harvard University's Olin Center for Law, Economics and Businesses found returning citizens who are provided full public benefit access are less likely to return to prison within a year.
- We have this belief that people serve their time and deserve an opportunity to come back into their community with a clean slate. People attempting to get their lives back on track and regaining custody of their children after incarceration already have an uphill battle. If we believe the justice system serves as a punishment and rehabilitates people we must be willing to give people an opportunity to fully succeed upon their return. TANF is a program that has a substantial amount of hoops people are required to jump through in order to stay in compliance. Further, a condition of release is often entering into a substance use treatment program. Historically, drug treatment facilities have used their patients' SNAP and TANF benefits to subsidize the cost of treatment. To deny someone

access to TANF you may also deny them access to the treatment that would provide them stability.¹

Are there any other felonies that bar someone from receiving TANF?

- No, only drug related felonies lead to a partial ban or full bans.

What is a Class X or Class 1 Related Drug Felony?

- Examples include having a 500 gram or less (about 1 pound) of the materials to make methamphetamine or 2000 grams of marijuana (about 4 and half pounds of weed) with intent to distribute. For an exhaustive list of the drug related Class X or Class 1 felonies you can check out this [link](#).

How many cases would this impact?

We believe that approximately 7,400 people would become more eligible but with the caveat that we don't believe that everyone will run to apply for TANF. TANF is an extremely underutilized program. To answer that question we would need these couple of things:

- Would there be a concerted effort to notify people who have believed they are ineligible for TANF?
- Only 9% of families eligible for TANF actually apply and receive TANF. Caseloads are extremely low.
- Unfortunately there likely wouldn't be a ground swell.

How much will this cost?

- I believe DHS has put together an estimate that I will let them explain. TANF is funded through a block grant. Illinois only uses about 4% of that on actual TANF cash payments. We understand that the state is in a tight place but the name of the program is TANF, it was created to provide cash assistance to families living in extreme poverty, it barely scratches the surface. Further only about 9% of families eligible actually apply and receive TANF.

Have any other states lifted the full ban?

Yes, 22 other states have lifted the full ban.

- Alabama
- Arkansas
- California
- Delaware
- Kansas
- Maine
- New Hampshire
- New Jersey
- Louisiana
- Mississippi

¹<https://www.sentencingproject.org/publications/a-lifetime-of-punishment-the-impact-of-the-felony-drug-ban-on-welfare-benefits/>

- New Mexico
- New York
- North Dakota
- Ohio
- Oklahoma
- Rhode Island
- South Dakota
- Vermont
- Virginia
- Washington
- Wisconsin
- Wyoming