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**SENATE BILL NO. 635**

Offered January 15, 2016

A *BILL to amend the Code of Virginia by adding a section numbered 63.2-607.1, relating to TANF eligibility; drug-related felonies.*

Patrons—Favola, Ebbin and McEachin

Referred to Committee on Rehabilitation and Social Services

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding a section numbered 63.2-607.1 as follows:**

**§ 63.2-607.1. Eligibility for TANF; drug-related felonies.**

*A person who is otherwise eligible to receive TANF assistance shall be exempt from the application of § 115(a)(1) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, P.L. 104-193, and shall not be denied such assistance solely because he has been convicted of a felony offense of possession of a controlled substance in violation of § 18.2-250, provided that such person (i) complies with, or has already complied with, all obligations imposed by the criminal court and the Department; (ii) is actively engaged in or has completed a substance abuse treatment program; and (iii) participates in periodic drug screenings. A person who fails or refuses to participate in periodic drug screenings or tests positive for the use of illegal substances shall be ineligible to receive TANF benefits for a period of 12 months; however, an individual shall have one opportunity to comply with the testing requirement and be reinstated to eligibility for TANF benefits during the 12-month period following the date of his failure or refusal to participate in a drug screening or testing positive for the use of illegal substances.*