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SENATE BILL NO. 204

Offered January 10, 2018

Prefiled January 2, 2018

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; Delegate: Watts

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 federal 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 first-time felony offense of possession of a controlled substance in violation of § 18.2-250, provided that such person complies with, or has already complied with, all obligations imposed by the criminal court and the Department, is actively engaged in or has completed a substance abuse treatment program, and participates in periodic drug screenings. A person who fails or refuses to participate in periodic drug testing or who tests positive for the use of illegal substances shall be ineligible to receive TANF benefits for a period of 12 months; however, such person 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 test or his testing positive for the use of illegal substances.

INTRODUCED

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