



**Governor's Advisory Council for Exceptional Citizens (GACEC)**  
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**MEMORANDUM**

**DATE: June 8, 2016**

**TO: The Honorable Members of the Delaware General Assembly**

**FROM: Robert D. Overmiller, Chairperson  
GACEC**

**RE: House Bill No. 365 (Removal of TANF Eligibility Bar for Drug Convictions)**

The Governor's Advisory Council for Exceptional Citizens (GACEC) has reviewed **House Bill No. 365** which would remove the prohibition against receipt of Temporary Assistance for Needy Families (TANF) funds by persons convicted of a drug felony. These funds are also referred to as Aid for Families with Dependent Children or AFDC. The TANF program has long been recognized as an important resource for persons with disabilities. See National Council on Disability Position Paper, "TANF and Disability-Importance of Supports for Families with Disabilities in Welfare Reform" (March 14, 2003). The legislation would therefore have an extremely beneficial effect on individuals with disabilities. Council **endorses** the proposed legislation.

In 2011, Delaware removed the ban on drug felon eligibility for the Food Supplement Program (formerly "Food Stamps") through enactment of Senate Bill No. 12. At that time the Council noted the common co-occurrence of substance abuse with mental health and other disorders. The Council also observed that limits on access to safety-net programs undermine successful reintegration of persons released from prison into the community. A recent Delaware News Journal editorial makes the same point in supporting House Bill No. 365. See May 18, 2016 article, "TANF Bill Sensible Step in Prison Reform". That article reports that 24 states have adopted at least limited "opt outs" of the federal bans on TANF and Food Supplement Program eligibility. The editorial also links access to such safety-net programs to lower recidivism rates.

Thank you for your time and consideration of our endorsement. Please feel free to contact me or Wendy Strauss at the GACEC office should you have any questions.