**Section 100.10 Legislative Base**

a) Federal

1) On July 31, 1981, Congress passed the Omnibus Budget Reconciliation Act of 1981 (P.L. 97-35) which established seven block grant programs. These block grants replaced a large number of programs previously administered by the federal government. The Omnibus Budget Reconciliation Act of 1981 also transferred primary responsibility for the administration of the block grant programs to the states and conferred substantial discretion on the states as to the use of block grant funds.

2) Title XXVI of the Omnibus Budget Reconciliation Act of 1981 established the Low-Income Home Energy Assistance Act of 1981 and replaced the Home Energy Assistance Act of 1980.

3) The Low-Income Home Energy Assistance Act of 1981 authorized the Low Income Home Energy Assistance Block Grant. States were eligible to receive funds under the Low Income Home Energy Assistance Block Grant on October 1, 1981.

4) On November 3, 1990, the Low-Income Home Energy Assistance Act of 1981 was amended by the Augustus F. Hawkins Human Services Reauthorization Act of 1990 (P.L. 101-501).

b) State

On August 2, 1989, the Governor signed the Energy Assistance Act of 1989. The Governor has officially designated the Department of Commerce and Community Affairs as the official administering agency for the Energy Assistance Act, which includes the Low Income Home Energy Assistance Block Grant. On December 15, 1981, the Department of Commerce and Community Affairs submitted the application document to the U.S. Department of Health and Human Services. As part of the application, the State certified that it agreed to use funds available under the Low Income Home Energy Assistance Block Grant to provide assistance to eligible households to meet the costs of home energy. On July 24, 1991, the Governor signed an amendment to the Energy Assistance Act [305 ILCS 20], as amended by P.A. 87-14, effective July 24, 1991. This amendment established the Low Income Home Energy Assistance Program (LIHEAP). On December 16, 1997, the Governor signed an amendment to the Energy Assistance Act, as amended by P.A. 86-127, Section 13, added by P.A. 90-561, Art. 7, Section 85, effective December 16, 1997. This amendment established the Supplemental Low-Income Energy Assistance Fund. On January 10, 2001, the Governor signed an amendment to the Energy Assistance Act, as amended by P.A. 86-127, Section 85, added by P.A. 91-936, effective January 10, 2001. This amendment provides the Department with the flexibility to establish annual eligibility levels up to a maximum of 150% of OMB Poverty guidelines. On April 1, 2004, responsibility for the administration of the Act was transferred to the Department of Public Aid. On March 24, 2009, responsibility for the administration of the Act was transferred back to the Department of Commerce and Economic Opportunity.

(Source: Section 100.10 recodified from 89 Ill. Adm. Code 109.10 at 33 Ill. Reg. 9466)