



Sen. Kimberly A. Lightford

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10200HB0594sam004

LRB102 10655 AMC 30299 a

1 AMENDMENT TO HOUSE BILL 594

2 AMENDMENT NO. _____. Amend House Bill 594, AS AMENDED,
3 with reference to page and line numbers of Senate Amendment
4 No. 2, on page 2, line 3, by replacing "Sections 4.32 and 4.37"
5 with "Section 4.32"; and

6 on page 3, by deleting lines 3 through 16; and

7 on page 3, immediately above line 17, by inserting the
8 following:

9 "Section 18. The State Budget Law of the Civil
10 Administrative Code of Illinois is amended by changing Section
11 50-5 as follows:

12 (15 ILCS 20/50-5)

13 Sec. 50-5. Governor to submit State budget.

14 (a) The Governor shall, as soon as possible and not later

1 than the second Wednesday in March in 2010 (March 10, 2010),
2 the third Wednesday in February in 2011, the fourth Wednesday
3 in February in 2012 (February 22, 2012), the first Wednesday
4 in March in 2013 (March 6, 2013), the fourth Wednesday in March
5 in 2014 (March 26, 2014), the first Wednesday in February in
6 2022 (February 2, 2022), and the third Wednesday in February
7 of each year thereafter, except as otherwise provided in this
8 Section, submit a State budget, embracing therein the amounts
9 recommended by the Governor to be appropriated to the
10 respective departments, offices, and institutions, and for all
11 other public purposes, the estimated revenues from taxation,
12 and the estimated revenues from sources other than taxation.
13 Except with respect to the capital development provisions of
14 the State budget, beginning with the revenue estimates
15 prepared for fiscal year 2012, revenue estimates shall be
16 based solely on: (i) revenue sources (including non-income
17 resources), rates, and levels that exist as of the date of the
18 submission of the State budget for the fiscal year and (ii)
19 revenue sources (including non-income resources), rates, and
20 levels that have been passed by the General Assembly as of the
21 date of the submission of the State budget for the fiscal year
22 and that are authorized to take effect in that fiscal year.
23 Except with respect to the capital development provisions of
24 the State budget, the Governor shall determine available
25 revenue, deduct the cost of essential government services,
26 including, but not limited to, pension payments and debt

1 service, and assign a percentage of the remaining revenue to
2 each statewide prioritized goal, as established in Section
3 50-25 of this Law, taking into consideration the proposed
4 goals set forth in the report of the Commission established
5 under that Section. The Governor shall also demonstrate how
6 spending priorities for the fiscal year fulfill those
7 statewide goals. The amounts recommended by the Governor for
8 appropriation to the respective departments, offices and
9 institutions shall be formulated according to each
10 department's, office's, and institution's ability to
11 effectively deliver services that meet the established
12 statewide goals. The amounts relating to particular functions
13 and activities shall be further formulated in accordance with
14 the object classification specified in Section 13 of the State
15 Finance Act. In addition, the amounts recommended by the
16 Governor for appropriation shall take into account each State
17 agency's effectiveness in achieving its prioritized goals for
18 the previous fiscal year, as set forth in Section 50-25 of this
19 Law, giving priority to agencies and programs that have
20 demonstrated a focus on the prevention of waste and the
21 maximum yield from resources.

22 Beginning in fiscal year 2011, the Governor shall
23 distribute written quarterly financial reports on operating
24 funds, which may include general, State, or federal funds and
25 may include funds related to agencies that have significant
26 impacts on State operations, and budget statements on all

1 appropriated funds to the General Assembly and the State
2 Comptroller. The reports shall be submitted no later than 45
3 days after the last day of each quarter of the fiscal year and
4 shall be posted on the Governor's Office of Management and
5 Budget's website on the same day. The reports shall be
6 prepared and presented for each State agency and on a
7 statewide level in an executive summary format that may
8 include, for the fiscal year to date, individual itemizations
9 for each significant revenue type as well as itemizations of
10 expenditures and obligations, by agency, with an appropriate
11 level of detail. The reports shall include a calculation of
12 the actual total budget surplus or deficit for the fiscal year
13 to date. The Governor shall also present periodic budget
14 addresses throughout the fiscal year at the invitation of the
15 General Assembly.

16 The Governor shall not propose expenditures and the
17 General Assembly shall not enact appropriations that exceed
18 the resources estimated to be available, as provided in this
19 Section. Appropriations may be adjusted during the fiscal year
20 by means of one or more supplemental appropriation bills if
21 any State agency either fails to meet or exceeds the goals set
22 forth in Section 50-25 of this Law.

23 For the purposes of Article VIII, Section 2 of the 1970
24 Illinois Constitution, the State budget for the following
25 funds shall be prepared on the basis of revenue and
26 expenditure measurement concepts that are in concert with

1 generally accepted accounting principles for governments:

- 2 (1) General Revenue Fund.
- 3 (2) Common School Fund.
- 4 (3) Educational Assistance Fund.
- 5 (4) Road Fund.
- 6 (5) Motor Fuel Tax Fund.
- 7 (6) Agricultural Premium Fund.

8 These funds shall be known as the "budgeted funds". The
9 revenue estimates used in the State budget for the budgeted
10 funds shall include the estimated beginning fund balance, plus
11 revenues estimated to be received during the budgeted year,
12 plus the estimated receipts due the State as of June 30 of the
13 budgeted year that are expected to be collected during the
14 lapse period following the budgeted year, minus the receipts
15 collected during the first 2 months of the budgeted year that
16 became due to the State in the year before the budgeted year.
17 Revenues shall also include estimated federal reimbursements
18 associated with the recognition of Section 25 of the State
19 Finance Act liabilities. For any budgeted fund for which
20 current year revenues are anticipated to exceed expenditures,
21 the surplus shall be considered to be a resource available for
22 expenditure in the budgeted fiscal year.

23 Expenditure estimates for the budgeted funds included in
24 the State budget shall include the costs to be incurred by the
25 State for the budgeted year, to be paid in the next fiscal
26 year, excluding costs paid in the budgeted year which were

1 carried over from the prior year, where the payment is
2 authorized by Section 25 of the State Finance Act. For any
3 budgeted fund for which expenditures are expected to exceed
4 revenues in the current fiscal year, the deficit shall be
5 considered as a use of funds in the budgeted fiscal year.

6 Revenues and expenditures shall also include transfers
7 between funds that are based on revenues received or costs
8 incurred during the budget year.

9 Appropriations for expenditures shall also include all
10 anticipated statutory continuing appropriation obligations
11 that are expected to be incurred during the budgeted fiscal
12 year.

13 By March 15 of each year, the Commission on Government
14 Forecasting and Accountability shall prepare revenue and fund
15 transfer estimates in accordance with the requirements of this
16 Section and report those estimates to the General Assembly and
17 the Governor.

18 For all funds other than the budgeted funds, the proposed
19 expenditures shall not exceed funds estimated to be available
20 for the fiscal year as shown in the budget. Appropriation for a
21 fiscal year shall not exceed funds estimated by the General
22 Assembly to be available during that year.

23 (b) By February 24, 2010, the Governor must file a written
24 report with the Secretary of the Senate and the Clerk of the
25 House of Representatives containing the following:

26 (1) for fiscal year 2010, the revenues for all

1 budgeted funds, both actual to date and estimated for the
2 full fiscal year;

3 (2) for fiscal year 2010, the expenditures for all
4 budgeted funds, both actual to date and estimated for the
5 full fiscal year;

6 (3) for fiscal year 2011, the estimated revenues for
7 all budgeted funds, including without limitation the
8 affordable General Revenue Fund appropriations, for the
9 full fiscal year; and

10 (4) for fiscal year 2011, an estimate of the
11 anticipated liabilities for all budgeted funds, including
12 without limitation the affordable General Revenue Fund
13 appropriations, debt service on bonds issued, and the
14 State's contributions to the pension systems, for the full
15 fiscal year.

16 Between July 1 and August 31 of each fiscal year, the
17 members of the General Assembly and members of the public may
18 make written budget recommendations to the Governor.

19 Beginning with budgets prepared for fiscal year 2013, the
20 budgets submitted by the Governor and appropriations made by
21 the General Assembly for all executive branch State agencies
22 must adhere to a method of budgeting where each priority must
23 be justified each year according to merit rather than
24 according to the amount appropriated for the preceding year.

25 (Source: P.A. 97-669, eff. 1-13-12; 97-813, eff. 7-13-12;
26 98-2, eff. 2-19-13; 98-626, eff. 2-5-14.)"; and

1 on page 65, immediately below line 12, by inserting the
2 following:

3 "Section 66. If and only if House Bill 3666 of the 102nd
4 General Assembly becomes law (as amended by Senate Amendment
5 No. 6), the Energy Assistance Act is amended by changing
6 Section 13 as follows:

7 (305 ILCS 20/13)

8 (Text of Section from P.A. 102-16)

9 (Section scheduled to be repealed on January 1, 2025)

10 Sec. 13. Supplemental Low-Income Energy Assistance Fund.

11 (a) The Supplemental Low-Income Energy Assistance Fund is
12 hereby created as a special fund in the State Treasury.
13 Notwithstanding any other law to the contrary, the
14 Supplemental Low-Income Energy Assistance Fund is not subject
15 to sweeps, administrative charge-backs, or any other fiscal or
16 budgetary maneuver that would in any way transfer any amounts
17 from the Supplemental Low-Income Energy Assistance Fund into
18 any other fund of the State. The Supplemental Low-Income
19 Energy Assistance Fund is authorized to receive moneys from
20 voluntary donations from individuals, foundations,
21 corporations, and other sources, moneys received pursuant to
22 Section 17, and, by statutory deposit, the moneys collected
23 pursuant to this Section. The Fund is also authorized to

1 receive voluntary donations from individuals, foundations,
2 corporations, and other sources. Subject to appropriation, the
3 Department shall use moneys from the Supplemental Low-Income
4 Energy Assistance Fund for payments to electric or gas public
5 utilities, municipal electric or gas utilities, and electric
6 cooperatives on behalf of their customers who are participants
7 in the program authorized by Sections 4 and 18 of this Act, for
8 the provision of weatherization services and for
9 administration of the Supplemental Low-Income Energy
10 Assistance Fund. All other deposits outside of the Energy
11 Assistance Charge as set forth in subsection (b) are not
12 subject to the percentage restrictions related to
13 administrative and weatherization expenses provided in this
14 subsection. The yearly expenditures for weatherization may not
15 exceed 10% of the amount collected during the year pursuant to
16 this Section, except when unspent funds from the Supplemental
17 Low-Income Energy Assistance Fund are reallocated from a
18 previous year; any unspent balance of the 10% weatherization
19 allowance may be utilized for weatherization expenses in the
20 year they are reallocated. The yearly administrative expenses
21 of the Supplemental Low-Income Energy Assistance Fund may not
22 exceed 13% of the amount collected during that year pursuant
23 to this Section, except when unspent funds from the
24 Supplemental Low-Income Energy Assistance Fund are reallocated
25 from a previous year; any unspent balance of the 13%
26 administrative allowance may be utilized for administrative

1 expenses in the year they are reallocated. Of the 13%
2 administrative allowance, no less than 8% shall be provided to
3 Local Administrative Agencies for administrative expenses.

4 (b) Notwithstanding the provisions of Section 16-111 of
5 the Public Utilities Act but subject to subsection (k) of this
6 Section, each public utility, electric cooperative, as defined
7 in Section 3.4 of the Electric Supplier Act, and municipal
8 utility, as referenced in Section 3-105 of the Public
9 Utilities Act, that is engaged in the delivery of electricity
10 or the distribution of natural gas within the State of
11 Illinois shall, effective January 1, 2021 ~~2022~~, assess each of
12 its customer accounts a monthly Energy Assistance Charge for
13 the Supplemental Low-Income Energy Assistance Fund. The
14 delivering public utility, municipal electric or gas utility,
15 or electric or gas cooperative for a self-assessing purchaser
16 remains subject to the collection of the fee imposed by this
17 Section. The monthly charge shall be as follows:

18 (1) Base Energy Assistance Charge per month on each
19 account for residential electrical service;

20 (2) Base Energy Assistance Charge per month on each
21 account for residential gas service;

22 (3) Ten times the Base Energy Assistance Charge per
23 month on each account for non-residential electric service
24 which had less than 10 megawatts of peak demand during the
25 previous calendar year;

26 (4) Ten times the Base Energy Assistance Charge per

1 month on each account for non-residential gas service
2 which had distributed to it less than 4,000,000 therms of
3 gas during the previous calendar year;

4 (5) Three hundred and seventy-five times the Base
5 Energy Assistance Charge per month on each account for
6 non-residential electric service which had 10 megawatts or
7 greater of peak demand during the previous calendar year;
8 and

9 (6) Three hundred and seventy-five times the Base
10 Energy Assistance Charge per month on each account For
11 non-residential gas service which had 4,000,000 or more
12 therms of gas distributed to it during the previous
13 calendar year.

14 The Base Energy Assistance Charge shall be \$0.48 per month
15 for the calendar year beginning January 1, 2022 and shall
16 increase by \$0.16 per month for any calendar year, provided no
17 less than 80% of the previous State fiscal year's available
18 Supplemental Low-Income Energy Assistance Fund funding was
19 exhausted. The maximum Base Energy Assistance Charge shall not
20 exceed \$0.96 per month for any calendar year.

21 The incremental change to such charges imposed by Public
22 Act 99-933 and this amendatory Act of the 102nd General
23 Assembly shall not (i) be used for any purpose other than to
24 directly assist customers and (ii) be applicable to utilities
25 serving less than 100,000 customers in Illinois on January 1,
26 2021. The incremental change to such charges imposed by this

1 amendatory Act of the 102nd General Assembly are intended to
2 increase utilization of the Percentage of Income Payment Plan
3 (PIPP or PIP Plan) and shall be applied such that PIP Plan
4 enrollment is at least doubled, as compared to 2020
5 enrollment, by 2024.

6 In addition, electric and gas utilities have committed,
7 and shall contribute, a one-time payment of \$22 million to the
8 Fund, within 10 days after the effective date of the tariffs
9 established pursuant to Sections 16-111.8 and 19-145 of the
10 Public Utilities Act to be used for the Department's cost of
11 implementing the programs described in Section 18 of this
12 amendatory Act of the 96th General Assembly, the Arrearage
13 Reduction Program described in Section 18, and the programs
14 described in Section 8-105 of the Public Utilities Act. If a
15 utility elects not to file a rider within 90 days after the
16 effective date of this amendatory Act of the 96th General
17 Assembly, then the contribution from such utility shall be
18 made no later than February 1, 2010.

19 (c) For purposes of this Section:

20 (1) "residential electric service" means electric
21 utility service for household purposes delivered to a
22 dwelling of 2 or fewer units which is billed under a
23 residential rate, or electric utility service for
24 household purposes delivered to a dwelling unit or units
25 which is billed under a residential rate and is registered
26 by a separate meter for each dwelling unit;

1 (2) "residential gas service" means gas utility
2 service for household purposes distributed to a dwelling
3 of 2 or fewer units which is billed under a residential
4 rate, or gas utility service for household purposes
5 distributed to a dwelling unit or units which is billed
6 under a residential rate and is registered by a separate
7 meter for each dwelling unit;

8 (3) "non-residential electric service" means electric
9 utility service which is not residential electric service;
10 and

11 (4) "non-residential gas service" means gas utility
12 service which is not residential gas service.

13 (d) Within 30 days after the effective date of this
14 amendatory Act of the 96th General Assembly, each public
15 utility engaged in the delivery of electricity or the
16 distribution of natural gas shall file with the Illinois
17 Commerce Commission tariffs incorporating the Energy
18 Assistance Charge in other charges stated in such tariffs,
19 which shall become effective no later than the beginning of
20 the first billing cycle following such filing.

21 (e) The Energy Assistance Charge assessed by electric and
22 gas public utilities shall be considered a charge for public
23 utility service.

24 (f) By the 20th day of the month following the month in
25 which the charges imposed by the Section were collected, each
26 public utility, municipal utility, and electric cooperative

1 shall remit to the Department of Revenue all moneys received
2 as payment of the Energy Assistance Charge on a return
3 prescribed and furnished by the Department of Revenue showing
4 such information as the Department of Revenue may reasonably
5 require; provided, however, that a utility offering an
6 Arrearage Reduction Program or Supplemental Arrearage
7 Reduction Program pursuant to Section 18 of this Act shall be
8 entitled to net those amounts necessary to fund and recover
9 the costs of such Programs as authorized by that Section that
10 is no more than the incremental change in such Energy
11 Assistance Charge authorized by Public Act 96-33. If a
12 customer makes a partial payment, a public utility, municipal
13 utility, or electric cooperative may elect either: (i) to
14 apply such partial payments first to amounts owed to the
15 utility or cooperative for its services and then to payment
16 for the Energy Assistance Charge or (ii) to apply such partial
17 payments on a pro-rata basis between amounts owed to the
18 utility or cooperative for its services and to payment for the
19 Energy Assistance Charge.

20 If any payment provided for in this Section exceeds the
21 distributor's liabilities under this Act, as shown on an
22 original return, the Department may authorize the distributor
23 to credit such excess payment against liability subsequently
24 to be remitted to the Department under this Act, in accordance
25 with reasonable rules adopted by the Department. If the
26 Department subsequently determines that all or any part of the

1 credit taken was not actually due to the distributor, the
2 distributor's discount shall be reduced by an amount equal to
3 the difference between the discount as applied to the credit
4 taken and that actually due, and that distributor shall be
5 liable for penalties and interest on such difference.

6 (g) The Department of Revenue shall deposit into the
7 Supplemental Low-Income Energy Assistance Fund all moneys
8 remitted to it in accordance with subsection (f) of this
9 Section. The utilities shall coordinate with the Department to
10 establish an equitable and practical methodology for
11 implementing this subsection (g) beginning with the 2010
12 program year.

13 (h) On or before December 31, 2002, the Department shall
14 prepare a report for the General Assembly on the expenditure
15 of funds appropriated from the Low-Income Energy Assistance
16 Block Grant Fund for the program authorized under Section 4 of
17 this Act.

18 (i) The Department of Revenue may establish such rules as
19 it deems necessary to implement this Section.

20 (j) The Department of Commerce and Economic Opportunity
21 may establish such rules as it deems necessary to implement
22 this Section.

23 (k) The charges imposed by this Section shall only apply
24 to customers of municipal electric or gas utilities and
25 electric or gas cooperatives if the municipal electric or gas
26 utility or electric or gas cooperative makes an affirmative

1 decision to impose the charge. If a municipal electric or gas
2 utility or an electric cooperative makes an affirmative
3 decision to impose the charge provided by this Section, the
4 municipal electric or gas utility or electric cooperative
5 shall inform the Department of Revenue in writing of such
6 decision when it begins to impose the charge. If a municipal
7 electric or gas utility or electric or gas cooperative does
8 not assess this charge, the Department may not use funds from
9 the Supplemental Low-Income Energy Assistance Fund to provide
10 benefits to its customers under the program authorized by
11 Section 4 of this Act.

12 In its use of federal funds under this Act, the Department
13 may not cause a disproportionate share of those federal funds
14 to benefit customers of systems which do not assess the charge
15 provided by this Section.

16 This Section is repealed on January 1, 2025 unless renewed
17 by action of the General Assembly.

18 (Source: P.A. 102-16, eff. 6-17-21; 10200HB3666sam006.)

19 (Text of Section from P.A. 102-176)

20 (Section scheduled to be repealed on January 1, 2025)

21 Sec. 13. Supplemental Low-Income Energy Assistance Fund.

22 (a) The Supplemental Low-Income Energy Assistance Fund is
23 hereby created as a special fund in the State Treasury. The
24 Supplemental Low-Income Energy Assistance Fund is authorized
25 to receive moneys from voluntary donations from individuals,

1 foundations, corporations, and other sources, moneys received
2 pursuant to Section 17, and, by statutory deposit, the moneys
3 collected pursuant to this Section. The Fund is also
4 authorized to receive voluntary donations from individuals,
5 foundations, corporations, and other sources. Subject to
6 appropriation, the Department shall use moneys from the
7 Supplemental Low-Income Energy Assistance Fund for payments to
8 electric or gas public utilities, municipal electric or gas
9 utilities, and electric cooperatives on behalf of their
10 customers who are participants in the program authorized by
11 Sections 4 and 18 of this Act, for the provision of
12 weatherization services and for administration of the
13 Supplemental Low-Income Energy Assistance Fund. All other
14 deposits outside of the Energy Assistance Charge as set forth
15 in subsection (b) are not subject to the percentage
16 restrictions related to administrative and weatherization
17 expenses provided in this subsection. The yearly expenditures
18 for weatherization may not exceed 10% of the amount collected
19 during the year pursuant to this Section, except when unspent
20 funds from the Supplemental Low-Income Energy Assistance Fund
21 are reallocated from a previous year; any unspent balance of
22 the 10% weatherization allowance may be utilized for
23 weatherization expenses in the year they are reallocated. The
24 yearly administrative expenses of the Supplemental Low-Income
25 Energy Assistance Fund may not exceed 13% of the amount
26 collected during that year pursuant to this Section, except

1 when unspent funds from the Supplemental Low-Income Energy
2 Assistance Fund are reallocated from a previous year; any
3 unspent balance of the 13% administrative allowance may be
4 utilized for administrative expenses in the year they are
5 reallocated. Of the 13% administrative allowance, no less than
6 8% shall be provided to Local Administrative Agencies for
7 administrative expenses.

8 (b) Notwithstanding the provisions of Section 16-111 of
9 the Public Utilities Act but subject to subsection (k) of this
10 Section, each public utility, electric cooperative, as defined
11 in Section 3.4 of the Electric Supplier Act, and municipal
12 utility, as referenced in Section 3-105 of the Public
13 Utilities Act, that is engaged in the delivery of electricity
14 or the distribution of natural gas within the State of
15 Illinois shall, effective January 1, 2021 ~~2022~~, assess each of
16 its customer accounts a monthly Energy Assistance Charge for
17 the Supplemental Low-Income Energy Assistance Fund. The
18 delivering public utility, municipal electric or gas utility,
19 or electric or gas cooperative for a self-assessing purchaser
20 remains subject to the collection of the fee imposed by this
21 Section. The monthly charge shall be as follows:

22 (1) Base Energy Assistance Charge per month on each
23 account for residential electrical service;

24 (2) Base Energy Assistance Charge per month on each
25 account for residential gas service;

26 (3) Ten times the Base Energy Assistance Charge per

1 month on each account for non-residential electric service
2 which had less than 10 megawatts of peak demand during the
3 previous calendar year;

4 (4) Ten times the Base Energy Assistance Charge per
5 month on each account for non-residential gas service
6 which had distributed to it less than 4,000,000 therms of
7 gas during the previous calendar year;

8 (5) Three hundred and seventy-five times the Base
9 Energy Assistance Charge per month on each account for
10 non-residential electric service which had 10 megawatts or
11 greater of peak demand during the previous calendar year;
12 and

13 (6) Three hundred and seventy-five times the Base
14 Energy Assistance Charge per month on each account for
15 non-residential gas service which had 4,000,000 or more
16 therms of gas distributed to it during the previous
17 calendar year.

18 The Base Energy Assistance Charge shall be \$0.48 per month
19 for the calendar year beginning January 1, 2022 and shall
20 increase by \$0.16 per month for any calendar year, provided no
21 less than 80% of the previous State fiscal year's available
22 Supplemental Low-Income Energy Assistance Fund funding was
23 exhausted. The maximum Base Energy Assistance Charge shall not
24 exceed \$0.96 per month for any calendar year.

25 The incremental change to such charges imposed by Public
26 Act 99-933 and this amendatory Act of the 102nd General

1 Assembly shall not (i) be used for any purpose other than to
2 directly assist customers and (ii) be applicable to utilities
3 serving less than 100,000 customers in Illinois on January 1,
4 2021. The incremental change to such charges imposed by this
5 amendatory Act of the 102nd General Assembly are intended to
6 increase utilization of the Percentage of Income Payment Plan
7 (PIPP or PIP Plan) and shall be applied such that PIP Plan
8 enrollment is at least doubled, as compared to 2020
9 enrollment, by 2024.

10 In addition, electric and gas utilities have committed,
11 and shall contribute, a one-time payment of \$22 million to the
12 Fund, within 10 days after the effective date of the tariffs
13 established pursuant to Sections 16-111.8 and 19-145 of the
14 Public Utilities Act to be used for the Department's cost of
15 implementing the programs described in Section 18 of this
16 amendatory Act of the 96th General Assembly, the Arrearage
17 Reduction Program described in Section 18, and the programs
18 described in Section 8-105 of the Public Utilities Act. If a
19 utility elects not to file a rider within 90 days after the
20 effective date of this amendatory Act of the 96th General
21 Assembly, then the contribution from such utility shall be
22 made no later than February 1, 2010.

23 (c) For purposes of this Section:

24 (1) "residential electric service" means electric
25 utility service for household purposes delivered to a
26 dwelling of 2 or fewer units which is billed under a

1 residential rate, or electric utility service for
2 household purposes delivered to a dwelling unit or units
3 which is billed under a residential rate and is registered
4 by a separate meter for each dwelling unit;

5 (2) "residential gas service" means gas utility
6 service for household purposes distributed to a dwelling
7 of 2 or fewer units which is billed under a residential
8 rate, or gas utility service for household purposes
9 distributed to a dwelling unit or units which is billed
10 under a residential rate and is registered by a separate
11 meter for each dwelling unit;

12 (3) "non-residential electric service" means electric
13 utility service which is not residential electric service;
14 and

15 (4) "non-residential gas service" means gas utility
16 service which is not residential gas service.

17 (d) Within 30 days after the effective date of this
18 amendatory Act of the 96th General Assembly, each public
19 utility engaged in the delivery of electricity or the
20 distribution of natural gas shall file with the Illinois
21 Commerce Commission tariffs incorporating the Energy
22 Assistance Charge in other charges stated in such tariffs,
23 which shall become effective no later than the beginning of
24 the first billing cycle following such filing.

25 (e) The Energy Assistance Charge assessed by electric and
26 gas public utilities shall be considered a charge for public

1 utility service.

2 (f) By the 20th day of the month following the month in
3 which the charges imposed by the Section were collected, each
4 public utility, municipal utility, and electric cooperative
5 shall remit to the Department of Revenue all moneys received
6 as payment of the Energy Assistance Charge on a return
7 prescribed and furnished by the Department of Revenue showing
8 such information as the Department of Revenue may reasonably
9 require; provided, however, that a utility offering an
10 Arrearage Reduction Program or Supplemental Arrearage
11 Reduction Program pursuant to Section 18 of this Act shall be
12 entitled to net those amounts necessary to fund and recover
13 the costs of such Programs as authorized by that Section that
14 is no more than the incremental change in such Energy
15 Assistance Charge authorized by Public Act 96-33. If a
16 customer makes a partial payment, a public utility, municipal
17 utility, or electric cooperative may elect either: (i) to
18 apply such partial payments first to amounts owed to the
19 utility or cooperative for its services and then to payment
20 for the Energy Assistance Charge or (ii) to apply such partial
21 payments on a pro-rata basis between amounts owed to the
22 utility or cooperative for its services and to payment for the
23 Energy Assistance Charge.

24 If any payment provided for in this Section exceeds the
25 distributor's liabilities under this Act, as shown on an
26 original return, the Department may authorize the distributor

1 to credit such excess payment against liability subsequently
2 to be remitted to the Department under this Act, in accordance
3 with reasonable rules adopted by the Department. If the
4 Department subsequently determines that all or any part of the
5 credit taken was not actually due to the distributor, the
6 distributor's discount shall be reduced by an amount equal to
7 the difference between the discount as applied to the credit
8 taken and that actually due, and that distributor shall be
9 liable for penalties and interest on such difference.

10 (g) The Department of Revenue shall deposit into the
11 Supplemental Low-Income Energy Assistance Fund all moneys
12 remitted to it in accordance with subsection (f) of this
13 Section. The utilities shall coordinate with the Department to
14 establish an equitable and practical methodology for
15 implementing this subsection (g) beginning with the 2010
16 program year.

17 (h) On or before December 31, 2002, the Department shall
18 prepare a report for the General Assembly on the expenditure
19 of funds appropriated from the Low-Income Energy Assistance
20 Block Grant Fund for the program authorized under Section 4 of
21 this Act.

22 (i) The Department of Revenue may establish such rules as
23 it deems necessary to implement this Section.

24 (j) The Department of Commerce and Economic Opportunity
25 may establish such rules as it deems necessary to implement
26 this Section.

1 (k) The charges imposed by this Section shall only apply
2 to customers of municipal electric or gas utilities and
3 electric or gas cooperatives if the municipal electric or gas
4 utility or electric or gas cooperative makes an affirmative
5 decision to impose the charge. If a municipal electric or gas
6 utility or an electric cooperative makes an affirmative
7 decision to impose the charge provided by this Section, the
8 municipal electric or gas utility or electric cooperative
9 shall inform the Department of Revenue in writing of such
10 decision when it begins to impose the charge. If a municipal
11 electric or gas utility or electric or gas cooperative does
12 not assess this charge, the Department may not use funds from
13 the Supplemental Low-Income Energy Assistance Fund to provide
14 benefits to its customers under the program authorized by
15 Section 4 of this Act.

16 In its use of federal funds under this Act, the Department
17 may not cause a disproportionate share of those federal funds
18 to benefit customers of systems which do not assess the charge
19 provided by this Section.

20 This Section is repealed on January 1, 2025 unless renewed
21 by action of the General Assembly.

22 (Source: P.A. 102-176, eff. 6-1-22.; 10200HB3666sam006.)"; and

23 on page 96, line 5, by replacing "law" with "law, except that
24 Section 66 takes effect upon becoming law or on the date House
25 Bill 3666 of the 102nd General Assembly takes effect,

1 whichever is later".