

1 AN ACT concerning public aid.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Energy Assistance Act is amended by  
5 changing Sections 6, 13, and 18 and by adding Section 20 as  
6 follows:

7 (305 ILCS 20/6) (from Ch. 111 2/3, par. 1406)

8 Sec. 6. Eligibility, Conditions of Participation, and  
9 Energy Assistance.

10 (a) Any person who is a resident of the State of Illinois  
11 and whose household income is not greater than an amount  
12 determined annually by the Department, in consultation with  
13 the Policy Advisory Council, may apply for assistance pursuant  
14 to this Act in accordance with regulations promulgated by the  
15 Department. In setting the annual eligibility level, the  
16 Department shall consider the amount of available funding and  
17 may not set a limit higher than 150% of the federal nonfarm  
18 poverty level as established by the federal Office of  
19 Management and Budget or 60% of the State median income for the  
20 current State fiscal year as established by the U.S.  
21 Department of Health and Human Services; except that for the  
22 period from the effective date of this amendatory Act of the  
23 101st General Assembly through June 30, 2021, the Department

1 may establish limits not higher than 200% of that poverty  
2 level. The Department, in consultation with the Policy  
3 Advisory Council, may adjust the percentage of poverty level  
4 annually in accordance with federal guidelines and based on  
5 funding availability.

6 (b) Applicants who qualify for assistance pursuant to  
7 subsection (a) of this Section shall, subject to appropriation  
8 from the General Assembly and subject to availability of funds  
9 to the Department, receive energy assistance as provided by  
10 this Act. The Department, upon receipt of monies authorized  
11 pursuant to this Act for energy assistance, shall commit funds  
12 for each qualified applicant in an amount determined by the  
13 Department. In determining the amounts of assistance to be  
14 provided to or on behalf of a qualified applicant, the  
15 Department shall ensure that the highest amounts of assistance  
16 go to households with the greatest energy costs in relation to  
17 household income. The Department shall include factors such as  
18 energy costs, household size, household income, and region of  
19 the State when determining individual household benefits. In  
20 setting assistance levels, the Department shall attempt to  
21 provide assistance to approximately the same number of  
22 households who participated in the 1991 Residential Energy  
23 Assistance Partnership Program. Such assistance levels shall  
24 be adjusted annually on the basis of funding availability and  
25 energy costs. In promulgating rules for the administration of  
26 this Section the Department shall assure that a minimum of 1/3

1 of funds available for benefits to eligible households with  
2 the lowest incomes and that elderly households, households  
3 with children under the age of 6 years old, and households with  
4 persons with disabilities are offered a priority application  
5 period.

6 (c) If the applicant is not a customer of record of an  
7 energy provider for energy services or an applicant for such  
8 service, such applicant shall receive a direct energy  
9 assistance payment in an amount established by the Department  
10 for all such applicants under this Act; provided, however,  
11 that such an applicant must have rental expenses for housing  
12 greater than 30% of household income.

13 (c-1) This subsection shall apply only in cases where: (1)  
14 the applicant is not a customer of record of an energy provider  
15 because energy services are provided by the owner of the unit  
16 as a portion of the rent; (2) the applicant resides in housing  
17 subsidized or developed with funds provided under the Rental  
18 Housing Support Program Act or under a similar locally funded  
19 rent subsidy program, or is the voucher holder who resides in a  
20 rental unit within the State of Illinois and whose monthly  
21 rent is subsidized by the tenant-based Housing Choice Voucher  
22 Program under Section 8 of the U.S. Housing Act of 1937; and  
23 (3) the rental expenses for housing are no more than 30% of  
24 household income. In such cases, the household may apply for  
25 an energy assistance payment under this Act and the owner of  
26 the housing unit shall cooperate with the applicant by

1 providing documentation of the energy costs for that unit. Any  
2 compensation paid to the energy provider who supplied energy  
3 services to the household shall be paid on behalf of the owner  
4 of the housing unit providing energy services to the  
5 household. The Department shall report annually to the General  
6 Assembly on the number of households receiving energy  
7 assistance under this subsection and the cost of such  
8 assistance. The provisions of this subsection (c-1), other  
9 than this sentence, are inoperative after August 31, 2012.

10 (d) If the applicant is a customer of an energy provider,  
11 such applicant shall receive energy assistance in an amount  
12 established by the Department for all such applicants under  
13 this Act, such amount to be paid by the Department to the  
14 energy provider supplying winter energy service to such  
15 applicant. Such applicant shall:

16 (i) make all reasonable efforts to apply to any other  
17 appropriate source of public energy assistance; and

18 (ii) sign a waiver permitting the Department to  
19 receive income information from any public or private  
20 agency providing income or energy assistance and from any  
21 employer, whether public or private.

22 (e) Any qualified applicant pursuant to this Section may  
23 receive or have paid on such applicant's behalf an emergency  
24 assistance payment to enable such applicant to obtain access  
25 to winter energy services. Any such payments shall be made in  
26 accordance with regulations of the Department.

1 (f) The Department may, if sufficient funds are available,  
2 provide additional benefits to certain qualified applicants:

3 (i) for the reduction of past due amounts owed to  
4 energy providers; and

5 (ii) to assist the household in responding to  
6 excessively high summer temperatures or energy costs.  
7 Households containing elderly members, children, a person  
8 with a disability, or a person with a medical need for  
9 conditioned air shall receive priority for receipt of such  
10 benefits.

11 (Source: P.A. 101-636, eff. 6-10-20.)

12 (305 ILCS 20/13)

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

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

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

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

1 from a previous year; any unspent balance of the 13% ~~10%~~  
2 administrative allowance may be utilized for administrative  
3 expenses in the year they are reallocated. Of the 13%  
4 administrative allowance, no less than 8% shall be provided to  
5 Local Administrative Agencies for administrative expenses.

6 (b) Notwithstanding the provisions of Section 16-111 of  
7 the Public Utilities Act but subject to subsection (k) of this  
8 Section, each public utility, electric cooperative, as defined  
9 in Section 3.4 of the Electric Supplier Act, and municipal  
10 utility, as referenced in Section 3-105 of the Public  
11 Utilities Act, that is engaged in the delivery of electricity  
12 or the distribution of natural gas within the State of  
13 Illinois shall, effective January 1, 2022 ~~effective January 1,~~  
14 ~~1998~~, assess each of its customer accounts a monthly Energy  
15 Assistance Charge for the Supplemental Low-Income Energy  
16 Assistance Fund. The delivering public utility, municipal  
17 electric or gas utility, or electric or gas cooperative for a  
18 self-assessing purchaser remains subject to the collection of  
19 the fee imposed by this Section. The monthly charge shall be as  
20 follows:

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

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

25 (3) Ten times the Base Energy Assistance Charge per  
26 month on each account for non-residential electric service

1 which had less than 10 megawatts of peak demand during the  
2 previous calendar year;

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

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

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

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

24 ~~(1) \$0.48 per month on each account for residential~~  
25 ~~electric service;~~

26 ~~(2) \$0.48 per month on each account for residential~~



1 ~~gas service;~~

2 ~~(3) \$4.80 per month on each account for~~  
3 ~~non-residential electric service which had less than 10~~  
4 ~~megawatts of peak demand during the previous calendar~~  
5 ~~year;~~

6 ~~(4) \$4.80 per month on each account for~~  
7 ~~non-residential gas service which had distributed to it~~  
8 ~~less than 4,000,000 therms of gas during the previous~~  
9 ~~calendar year;~~

10 ~~(5) \$360 per month on each account for non-residential~~  
11 ~~electric service which had 10 megawatts or greater of peak~~  
12 ~~demand during the previous calendar year; and~~

13 ~~(6) \$360 per month on each account for non-residential~~  
14 ~~gas service which had 4,000,000 or more therms of gas~~  
15 ~~distributed to it during the previous calendar year.~~

16 The incremental change to such charges imposed by Public  
17 Act 99-933 and this amendatory Act of the 102nd General  
18 Assembly ~~this amendatory Act of the 96th General Assembly~~  
19 shall not (i) be used for any purpose other than to directly  
20 assist customers and (ii) be applicable to utilities serving  
21 less than 25,000 ~~100,000~~ customers in Illinois on January 1,  
22 2021 ~~2009~~. The incremental change to such charges imposed by  
23 this amendatory Act of the 102nd General Assembly are intended  
24 to increase utilization of the Percentage of Income Payment  
25 Plan (PIPP or PIP Plan) and shall be applied such that PIP Plan  
26 enrollment is at least doubled, as compared to 2020

1 enrollment, by 2024.

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

15 (c) For purposes of this Section:

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

23 (2) "residential gas service" means gas utility  
24 service for household purposes distributed to a dwelling  
25 of 2 or fewer units which is billed under a residential  
26 rate, or gas utility service for household purposes

1 distributed to a dwelling unit or units which is billed  
2 under a residential rate and is registered by a separate  
3 meter for each dwelling unit;

4 (3) "non-residential electric service" means electric  
5 utility service which is not residential electric service;  
6 and

7 (4) "non-residential gas service" means gas utility  
8 service which is not residential gas service.

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

17 (e) The Energy Assistance Charge assessed by electric and  
18 gas public utilities shall be considered a charge for public  
19 utility service.

20 (f) By the 20th day of the month following the month in  
21 which the charges imposed by the Section were collected, each  
22 public utility, municipal utility, and electric cooperative  
23 shall remit to the Department of Revenue all moneys received  
24 as payment of the Energy Assistance Charge on a return  
25 prescribed and furnished by the Department of Revenue showing  
26 such information as the Department of Revenue may reasonably

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

16 If any payment provided for in this Section exceeds the  
17 distributor's liabilities under this Act, as shown on an  
18 original return, the Department may authorize the distributor  
19 to credit such excess payment against liability subsequently  
20 to be remitted to the Department under this Act, in accordance  
21 with reasonable rules adopted by the Department. If the  
22 Department subsequently determines that all or any part of the  
23 credit taken was not actually due to the distributor, the  
24 distributor's discount shall be reduced by an amount equal to  
25 the difference between the discount as applied to the credit  
26 taken and that actually due, and that distributor shall be

1 liable for penalties and interest on such difference.

2 (g) The Department of Revenue shall deposit into the  
3 Supplemental Low-Income Energy Assistance Fund all moneys  
4 remitted to it in accordance with subsection (f) of this  
5 Section.  ~~, provided, however, that the amounts remitted by~~  
6  ~~each utility shall be used to provide assistance to that~~  
7  ~~utility's customers.~~ The utilities shall coordinate with the  
8 Department to establish an equitable and practical methodology  
9 for implementing this subsection (g) beginning with the 2010  
10 program year.

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

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

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

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

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

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

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

16 (Source: P.A. 99-457, eff. 1-1-16; 99-906, eff. 6-1-17;  
17 99-933, eff. 1-27-17; 100-863, eff. 8-14-18; 100-1171, eff.  
18 1-4-19.)

19 (305 ILCS 20/18)

20 Sec. 18. Financial assistance; payment plans.

21 (a) The Percentage of Income Payment Plan (PIPP or PIP  
22 Plan) is hereby created as a mandatory bill payment assistance  
23 program for low-income residential customers of utilities  
24 serving more than 100,000 retail customers as of January 1,  
25 2021 ~~2009~~. The PIP Plan will:

1 (1) bring participants' gas and electric bills into  
2 the range of affordability;

3 (2) provide incentives for participants to make timely  
4 payments;

5 (3) encourage participants to reduce usage and  
6 participate in conservation and energy efficiency measures  
7 that reduce the customer's bill and payment requirements;  
8 ~~and~~

9 (4) identify participants whose homes are most in need  
10 of weatherization; ~~and~~ -

11 (5) endeavor to maximize participation and spend at  
12 least 80% of the funding available for the year.

13 (b) For purposes of this Section:

14 (1) "LIHEAP" means the energy assistance program  
15 established under the Illinois Energy Assistance Act and  
16 the Low-Income Home Energy Assistance Act of 1981.

17 (2) "Plan participant" is an eligible participant who  
18 is also eligible for the PIPP and who will receive either a  
19 percentage of income payment credit under the PIPP  
20 criteria set forth in this Act or a benefit pursuant to  
21 Section 4 of this Act. Plan participants are a subset of  
22 eligible participants.

23 (3) "Pre-program arrears" means the amount a plan  
24 participant owes for gas or electric service at the time  
25 the participant is determined to be eligible for the PIPP  
26 or the program set forth in Section 4 of this Act.

1           (4) "Eligible participant" means any person who has  
2 applied for, been accepted and is receiving residential  
3 service from a gas or electric utility and who is also  
4 eligible for LIHEAP or otherwise satisfies the eligibility  
5 criteria set forth in paragraph (1) of subsection (c).

6           (c) The PIP Plan shall be administered as follows:

7           (1) The Department shall coordinate with Local  
8 Administrative Agencies (LAAs), to determine eligibility  
9 for the Illinois Low Income Home Energy Assistance Program  
10 (LIHEAP) pursuant to the Energy Assistance Act, provided  
11 that eligible income shall be no more than 150% of the  
12 poverty level or 60% of the State median income, except  
13 that for the period from the effective date of this  
14 amendatory Act of the 101st General Assembly through June  
15 30, 2021, eligible income shall be no more than 200% of the  
16 poverty level. Applicants will be screened to determine  
17 whether the applicant's projected payments for electric  
18 service or natural gas service over a 12-month period  
19 exceed the criteria established in this Section. The  
20 Department, in consultation with the Policy Advisory  
21 Council, may adjust the percentage of poverty level  
22 annually to determine income eligibility. To maintain the  
23 financial integrity of the program, the Department may  
24 limit eligibility to households with income below 125% of  
25 the poverty level.

26           (2) The Department shall establish the percentage of



1 income formula to determine the amount of a monthly credit  
2 for participants with eligible income based on poverty  
3 level. ~~, not to exceed \$150 per month per household, not to~~  
4 ~~exceed \$1,800 annually; however, for the period from the~~  
5 ~~effective date of this amendatory Act of the 101st General~~  
6 ~~Assembly through June 30, 2021, the monthly credit for~~  
7 ~~participants with eligible income over 100% of the poverty~~  
8 ~~level may be as much as \$200 per month per household, not~~  
9 ~~to exceed \$2,400 annually, and, the monthly credit for~~  
10 ~~participants with eligible income 100% or less of the~~  
11 ~~poverty level may be as much as \$250 per month per~~  
12 ~~household, not to exceed \$3,000 annually.~~ Credits will be  
13 applied to PIP Plan participants' utility bills based on  
14 the portion of the bill that is the responsibility of the  
15 participant provided that the percentage shall be no more  
16 than a total of 6% of the relevant income for gas and  
17 electric utility bills combined, but in any event no less  
18 than \$10 per month, unless the household does not pay  
19 directly for heat, in which case its payment shall be 2.4%  
20 of income but in any event no less than \$5 per month. The  
21 Department, in consultation with the Policy Advisory  
22 Council, may adjust such monthly credit amounts annually  
23 and may establish a minimum credit amount based on the  
24 cost of administering the program and may deny credits to  
25 otherwise eligible participants if the cost of  
26 administering the credit exceeds the actual amount of any

1 monthly credit to a participant. If the participant takes  
2 both gas and electric service, 50% ~~66.67%~~ of the credit  
3 shall be allocated to the entity that provides the  
4 participant's primary energy supply for heating. Each  
5 participant shall enter into a levelized payment plan for,  
6 as applicable, gas and electric service and such plans  
7 shall be implemented by the utility so that a  
8 participant's usage and required payments are reviewed and  
9 adjusted regularly, but no more frequently than quarterly.  
10 Nothing in this Section is intended to prohibit a  
11 customer, who is otherwise eligible for LIHEAP, from  
12 participating in the program described in Section 4 of  
13 this Act. Eligible participants who receive such a benefit  
14 shall be considered plan participants and shall be  
15 eligible to participate in the Arrearage Reduction Program  
16 described in item (5) of this subsection (c).

17 (3) The Department shall remit, through the LAAs, to  
18 the utility or participating alternative supplier that  
19 portion of the plan participant's bill that is not the  
20 responsibility of the participant. In the event that the  
21 Department fails to timely remit payment to the utility,  
22 the utility shall be entitled to recover all costs related  
23 to such nonpayment through the automatic adjustment clause  
24 tariffs established pursuant to Section 16-111.8 and  
25 Section 19-145 of the Public Utilities Act. For purposes  
26 of this item (3) of this subsection (c), payment is due on

1 the date specified on the participant's bill. The  
2 Department, the Department of Revenue and LAAs shall adopt  
3 processes that provide for the timely payment required by  
4 this item (3) of this subsection (c).

5 (4) A plan participant is responsible for all actual  
6 charges for utility service in excess of the PIPP credit.  
7 Pre-program arrears that are included in the Arrearage  
8 Reduction Program described in item (5) of this subsection  
9 (c) shall not be included in the calculation of the  
10 levelized payment plan. Emergency or crisis assistance  
11 payments shall not affect the amount of any PIPP credit to  
12 which a participant is entitled.

13 (5) Electric and gas utilities subject to this Section  
14 shall implement an Arrearage Reduction Program (ARP) for  
15 plan participants as follows: for each month that a plan  
16 participant timely pays his or her utility bill, the  
17 utility shall apply a credit to a portion of the  
18 participant's pre-program arrears, if any, equal to  
19 one-twelfth of such arrearage provided that the total  
20 amount of arrearage credits shall equal no more than  
21 \$1,000 annually for each participant for gas and no more  
22 than \$1,000 annually for each participant for electricity.  
23 In the third year of the PIPP, the Department, in  
24 consultation with the Policy Advisory Council established  
25 pursuant to Section 5 of this Act, shall determine by rule  
26 an appropriate per participant total cap on such amounts,

1 if any. Those plan participants participating in the ARP  
2 shall not be subject to the imposition of any additional  
3 late payment fees on pre-program arrears covered by the  
4 ARP. In all other respects, the utility shall bill and  
5 collect the monthly bill of a plan participant pursuant to  
6 the same rules, regulations, programs and policies as  
7 applicable to residential customers generally.  
8 Participation in the Arrearage Reduction Program shall be  
9 limited to the maximum amount of funds available as set  
10 forth in subsection (f) of Section 13 of this Act. In the  
11 event any donated funds under Section 13 of this Act are  
12 specifically designated for the purpose of funding the  
13 ARP, the Department shall remit such amounts to the  
14 utilities upon verification that such funds are needed to  
15 fund the ARP. Nothing in this Section shall preclude a  
16 utility from continuing to implement, and apply credits  
17 under, an ARP in the event that the PIPP or LIHEAP is  
18 suspended due to lack of funding such that the plan  
19 participant does not receive a benefit under either the  
20 PIPP or LIHEAP.

21 (5.5) In addition to the ARP described in paragraph  
22 (5) of this subsection (c), utilities may also implement a  
23 Supplemental Arrearage Reduction Program (SARP) for  
24 eligible participants who are not able to become plan  
25 participants due to PIPP timing or funding constraints. If  
26 a utility elects to implement a SARP, it shall be

1 administered as follows: for each month that a SARP  
2 participant timely pays his or her utility bill, the  
3 utility shall apply a credit to a portion of the  
4 participant's pre-program arrears, if any, equal to  
5 one-twelfth of such arrearage, provided that the utility  
6 may limit the total amount of arrearage credits to no more  
7 than \$1,000 annually for each participant for gas and no  
8 more than \$1,000 annually for each participant for  
9 electricity. SARP participants shall not be subject to the  
10 imposition of any additional late payment fees on  
11 pre-program arrears covered by the SARP. In all other  
12 respects, the utility shall bill and collect the monthly  
13 bill of a SARP participant under the same rules,  
14 regulations, programs, and policies as applicable to  
15 residential customers generally. Participation in the SARP  
16 shall be limited to the maximum amount of funds available  
17 as set forth in subsection (f) of Section 13 of this Act.  
18 In the event any donated funds under Section 13 of this Act  
19 are specifically designated for the purpose of funding the  
20 SARP, the Department shall remit such amounts to the  
21 utilities upon verification that such funds are needed to  
22 fund the SARP.

23 (6) The Department may terminate a plan participant's  
24 eligibility for the PIP Plan upon notification by the  
25 utility that the participant's monthly utility payment is  
26 more than 75 ~~45~~ days past due. One-twelfth of a customer's

1       arrearage shall be deducted from the total arrearage owed  
2       for each on-time payment made by the customer.

3           (7) The Department, in consultation with the Policy  
4       Advisory Council, may adjust the number of PIP Plan  
5       participants annually, if necessary, to match the  
6       availability of funds. Any plan participant who qualifies  
7       for a PIPP credit under a utility's PIPP shall be entitled  
8       to participate in and receive a credit under such  
9       utility's ARP for so long as such utility has ARP funds  
10      available, regardless of whether the customer's  
11      participation under another utility's PIPP or ARP has been  
12      curtailed or limited because of a lack of funds.

13          (8) The Department shall fully implement the PIPP at  
14      the earliest possible date it is able to effectively  
15      administer the PIPP. Within 90 days of the effective date  
16      of this amendatory Act of the 96th General Assembly, the  
17      Department shall, in consultation with utility companies,  
18      participating alternative suppliers, LAAs and the Illinois  
19      Commerce Commission (Commission), issue a detailed  
20      implementation plan which shall include detailed testing  
21      protocols and analysis of the capacity for implementation  
22      by the LAAs and utilities. Such consultation process also  
23      shall address how to implement the PIPP in the most  
24      cost-effective and timely manner, and shall identify  
25      opportunities for relying on the expertise of utilities,  
26      LAAs and the Commission. Following the implementation of

1 the testing protocols, the Department shall issue a  
2 written report on the feasibility of full or gradual  
3 implementation. The PIPP shall be fully implemented by  
4 September 1, 2011, but may be phased in prior to that date.

5 (9) As part of the screening process established under  
6 item (1) of this subsection (c), the Department and LAAs  
7 shall assess whether any energy efficiency or demand  
8 response measures are available to the plan participant at  
9 no cost, and if so, the participant shall enroll in any  
10 such program for which he or she is eligible. The LAAs  
11 shall assist the participant in the applicable enrollment  
12 or application process.

13 (10) Each alternative retail electric and gas supplier  
14 serving residential customers shall elect whether to  
15 participate in the PIPP or ARP described in this Section.  
16 Any such supplier electing to participate in the PIPP  
17 shall provide to the Department such information as the  
18 Department may require, including, without limitation,  
19 information sufficient for the Department to determine the  
20 proportionate allocation of credits between the  
21 alternative supplier and the utility. If a utility in  
22 whose service territory an alternative supplier serves  
23 customers contributes money to the ARP fund which is not  
24 recovered from ratepayers, then an alternative supplier  
25 which participates in ARP in that utility's service  
26 territory shall also contribute to the ARP fund in an

1 amount that is commensurate with the number of alternative  
2 supplier customers who elect to participate in the  
3 program.

4 (11) The PIPP shall be designed and implemented each  
5 year to maximize participation and spend at least 80% of  
6 the funding available for the year.

7 (d) The Department, in consultation with the Policy  
8 Advisory Council, shall develop and implement a program to  
9 educate customers about the PIP Plan and about their rights  
10 and responsibilities under the percentage of income component.  
11 The Department, in consultation with the Policy Advisory  
12 Council, shall establish a process that LAAs shall use to  
13 contact customers in jeopardy of losing eligibility due to  
14 late payments. The Department shall ensure that LAAs are  
15 adequately funded to perform all necessary educational tasks.

16 (e) The PIPP shall be administered in a manner which  
17 ensures that credits to plan participants will not be counted  
18 as income or as a resource in other means-tested assistance  
19 programs for low-income households or otherwise result in the  
20 loss of federal or State assistance dollars for low-income  
21 households.

22 (f) In order to ensure that implementation costs are  
23 minimized, the Department and utilities shall work together to  
24 identify cost-effective ways to transfer information  
25 electronically and to employ available protocols that will  
26 minimize their respective administrative costs as follows:



1           (1) The Commission may require utilities to provide  
2 such information on customer usage and billing and payment  
3 information as required by the Department to implement the  
4 PIP Plan and to provide written notices and communications  
5 to plan participants.

6           (2) Each utility and participating alternative  
7 supplier shall file annual reports with the Department and  
8 the Commission that cumulatively summarize and update  
9 program information as required by the Commission's rules.  
10 The reports shall track implementation costs and contain  
11 such information as is necessary to evaluate the success  
12 of the PIPP.

13           (2.5) The Department shall annually prepare and submit  
14 a report to the General Assembly, the Commission, and the  
15 Policy Advisory Council that identifies the following  
16 amounts for the most recently completed year: total monies  
17 collected under subsection (b) of Section 13 of this Act  
18 for all PIPPs implemented in the State; monies allocated  
19 to each utility for implementation of its PIPP; and monies  
20 allocated to each utility for other purposes, including a  
21 description of each of those purposes. The Commission  
22 shall publish the report on its website.

23           (3) The Department and the Commission shall have the  
24 authority to promulgate rules and regulations necessary to  
25 execute and administer the provisions of this Section.

26           (g) Each utility shall be entitled to recover reasonable

1 administrative and operational costs incurred to comply with  
2 this Section from the Supplemental Low Income Energy  
3 Assistance Fund. The utility may net such costs against monies  
4 it would otherwise remit to the Funds, and each utility shall  
5 include in the annual report required under subsection (f) of  
6 this Section an accounting for the funds collected.

7 (Source: P.A. 101-636, eff. 6-10-20.)

8 (305 ILCS 20/20 new)

9 Sec. 20. Expanded eligibility. All programs pursuant to  
10 this Act shall be available to eligible low-income Illinois  
11 residents who qualify for assistance under Sections 6 and 18,  
12 regardless of immigration status, using the Supplemental  
13 Low-Income Energy Assistance Fund for customers of utilities  
14 and vendors that collect the Energy Assistance Charge and pay  
15 into the Supplemental Low-Income Energy Assistance Fund.