



Sen. Cristina Castro

Filed: 2/17/2022

10200SB3866sam001

LRB102 24630 AMQ 35940 a

1 AMENDMENT TO SENATE BILL 3866

2 AMENDMENT NO. _____. Amend Senate Bill 3866 on page 176,
3 immediately below line 10, by inserting the following:

4 "Section 15. The Public Utilities Act is amended by
5 changing Section 16-108.30 as follows:

6 (220 ILCS 5/16-108.30)

7 Sec. 16-108.30. Energy Transition Assistance Fund.

8 (a) The Energy Transition Assistance Fund is hereby
9 created as a special fund in the State Treasury. The Energy
10 Transition Assistance Fund is authorized to receive moneys
11 collected pursuant to this Section. Subject to appropriation,
12 the Department of Commerce and Economic Opportunity shall use
13 moneys from the Energy Transition Assistance Fund consistent
14 with the purposes of this Act.

15 (b) An electric utility serving more than 500,000
16 customers in the State shall assess an energy transition

1 assistance charge on all its retail customers for the Energy
2 Transition Assistance Fund. The utility's total charge shall
3 be set based upon the value determined by the Department of
4 Commerce and Economic Opportunity pursuant to subsection (d)
5 or (e), as applicable, of Section 605-1075 of the Department
6 of Commerce and Economic Opportunity Law of the Civil
7 Administrative Code of Illinois. For each utility, the charge
8 shall be recovered through a single, uniform cents per
9 kilowatt-hour charge applicable to all retail customers. For
10 each utility, the charge shall not exceed 1.3% of the amount
11 paid per kilowatthour by eligible retail ~~those~~ customers
12 during the year ending May 31, 2009.

13 (c) Within 75 days of the effective date of this
14 amendatory Act of the 102nd General Assembly, each electric
15 utility serving more than 500,000 customers in the State shall
16 file with the Illinois Commerce Commission tariffs
17 incorporating the energy transition assistance charge in other
18 charges stated in such tariffs, which energy transition
19 assistance charges shall become effective no later than the
20 beginning of the first billing cycle that begins on or after
21 January 1, 2022. Each electric utility serving more than
22 500,000 customers in the State shall, prior to the beginning
23 of each calendar year starting with calendar year 2023, file
24 with the Illinois Commerce Commission tariff revisions to
25 incorporate annual revisions to the energy transition
26 assistance charge as prescribed by the Department of Commerce

1 and Economic Opportunity pursuant to Section 605-1075 of the
2 Department of Commerce and Economic Opportunity Law of the
3 Civil Administrative Code of Illinois so that such revision
4 becomes effective no later than the beginning of the first
5 billing cycle in each respective year.

6 (d) The energy transition assistance charge shall be
7 considered a charge for public utility service.

8 (e) By the 20th day of the month following the month in
9 which the charges imposed by this Section were collected, each
10 electric utility serving more than 500,000 customers in the
11 State shall remit to Department of Revenue all moneys received
12 as payment of the energy transition assistance charge on a
13 return prescribed and furnished by the Department of Revenue
14 showing such information as the Department of Revenue may
15 reasonably require. If a customer makes a partial payment, a
16 public utility may apply such partial payments first to
17 amounts owed to the utility. No customer may be subjected to
18 disconnection of his or her utility service for failure to pay
19 the energy transition assistance charge.

20 If any payment provided for in this subsection exceeds the
21 electric utility's liabilities under this Act, as shown on an
22 original return, the Department may authorize the electric
23 utility to credit such excess payment against liability
24 subsequently to be remitted to the Department under this Act,
25 in accordance with reasonable rules adopted by the Department.

26 All the provisions of Sections 4, 5, 5a, 5b, 5c, 5d, 5e,

1 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 7, 8, 9, 10, 11, 11a, 12, and 13
2 of the Retailers' Occupation Tax Act that are not inconsistent
3 with this Act apply, as far as practicable, to the charge
4 imposed by this Act to the same extent as if those provisions
5 were included in this Act. References in the incorporated
6 Sections of the Retailers' Occupation Tax Act to retailers, to
7 sellers, or to persons engaged in the business of selling
8 tangible personal property mean persons required to remit the
9 charge imposed under this Act.

10 (f) The Department of Revenue shall deposit into the
11 Energy Transition Assistance Fund all moneys remitted to it in
12 accordance with this Section.

13 (g) The Department of Revenue may establish such rules as
14 it deems necessary to implement this Section.

15 (h) The Department of Commerce and Economic Opportunity
16 may establish such rules as it deems necessary to implement
17 this Section.

18 (Source: P.A. 102-662, eff. 9-15-21.)".