



Rep. Marlow H. Colvin

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09400SB2030ham002

LRB094 11526 DRJ 58739 a

1 AMENDMENT TO SENATE BILL 2030

2 AMENDMENT NO. _____. Amend Senate Bill 2030, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Energy Assistance Act is amended by
6 changing Section 13 and by adding Section 17 as follows:

7 (305 ILCS 20/13)

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

9 (a) The Supplemental Low-Income Energy Assistance Fund is
10 hereby created as a special fund in the State Treasury. The
11 Supplemental Low-Income Energy Assistance Fund is authorized
12 to receive moneys from voluntary donations from individuals,
13 foundations, corporations, and other sources, moneys received
14 pursuant to Section 17, and, by statutory deposit, the moneys
15 collected pursuant to this Section. Subject to appropriation,
16 the Department shall use moneys from the Supplemental
17 Low-Income Energy Assistance Fund for payments to electric or
18 gas public utilities, municipal electric or gas utilities, and
19 electric cooperatives on behalf of their customers who are
20 participants in the program authorized by Section 4 of this
21 Act, for the provision of weatherization services and for
22 administration of the Supplemental Low-Income Energy
23 Assistance Fund. The yearly expenditures for weatherization
24 may not exceed 10% of the amount collected during the year

1 pursuant to this Section. The yearly administrative expenses of
2 the Supplemental Low-Income Energy Assistance Fund may not
3 exceed 10% of the amount collected during that year pursuant to
4 this Section.

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

19 (1) \$0.40 per month on each account for residential
20 electric service;

21 (2) \$0.40 per month on each account for residential gas
22 service;

23 (3) \$4 per month on each account for non-residential
24 electric service which had less than 10 megawatts of peak
25 demand during the previous calendar year;

26 (4) \$4 per month on each account for non-residential
27 gas service which had distributed to it less than 4,000,000
28 therms of gas during the previous calendar year;

29 (5) \$300 per month on each account for non-residential
30 electric service which had 10 megawatts or greater of peak
31 demand during the previous calendar year; and

32 (6) \$300 per month on each account for non-residential
33 gas service which had 4,000,000 or more therms of gas
34 distributed to it during the previous calendar year.

1 (c) For purposes of this Section:

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

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

16 (3) "non-residential electric service" means electric
17 utility service which is not residential electric service;
18 and

19 (4) "non-residential gas service" means gas utility
20 service which is not residential gas service.

21 (d) At least 45 days prior to the date on which it must
22 begin assessing Energy Assistance Charges, each public utility
23 engaged in the delivery of electricity or the distribution of
24 natural gas shall file with the Illinois Commerce Commission
25 tariffs incorporating the Energy Assistance Charge in other
26 charges stated in such tariffs.

27 (e) The Energy Assistance Charge assessed by electric and
28 gas public utilities shall be considered a charge for public
29 utility service.

30 (f) By the 20th day of the month following the month in
31 which the charges imposed by the Section were collected, each
32 public utility, municipal utility, and electric cooperative
33 shall remit to the Department of Revenue all moneys received as
34 payment of the Energy Assistance Charge on a return prescribed

1 and furnished by the Department of Revenue showing such
2 information as the Department of Revenue may reasonably
3 require. If a customer makes a partial payment, a public
4 utility, municipal utility, or electric cooperative may elect
5 either: (i) to apply such partial payments first to amounts
6 owed to the utility or cooperative for its services and then to
7 payment for the Energy Assistance Charge or (ii) to apply such
8 partial payments on a pro-rata basis between amounts owed to
9 the utility or cooperative for its services and to payment for
10 the Energy Assistance Charge.

11 (g) The Department of Revenue shall deposit into the
12 Supplemental Low-Income Energy Assistance Fund all moneys
13 remitted to it in accordance with subsection (f) of this
14 Section.

15 (h) (Blank).

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

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

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

26 (k) The charges imposed by this Section shall only apply to
27 customers of municipal electric or gas utilities and electric
28 or gas cooperatives if the municipal electric or gas utility or
29 electric or gas cooperative makes an affirmative decision to
30 impose the charge. If a municipal electric or gas utility or an
31 electric cooperative makes an affirmative decision to impose
32 the charge provided by this Section, the municipal electric or
33 gas utility or electric cooperative shall inform the Department
34 of Revenue in writing of such decision when it begins to impose

1 the charge. If a municipal electric or gas utility or electric
2 or gas cooperative does not assess this charge, the Department
3 may not use funds from the Supplemental Low-Income Energy
4 Assistance Fund to provide benefits to its customers under the
5 program authorized by Section 4 of this Act.

6 In its use of federal funds under this Act, the Department
7 may not cause a disproportionate share of those federal funds
8 to benefit customers of systems which do not assess the charge
9 provided by this Section.

10 This Section is repealed effective December 31, 2007 unless
11 renewed by action of the General Assembly. The General Assembly
12 shall consider the results of the evaluations described in
13 Section 8 in its deliberations.

14 (Source: P.A. 92-690, eff. 7-18-02; revised 12-6-03.)

15 (305 ILCS 20/17 new)

16 Sec. 17. Transfer into Supplemental Low-Income Energy
17 Assistance Fund. Immediately upon the effective date of this
18 amendatory Act of the 94th General Assembly, but no later than
19 5 business days after that effective date, the State
20 Comptroller shall direct and the Treasurer shall transfer into
21 the Supplemental Low-Income Energy Assistance Fund \$5,201,055,
22 which is equivalent to 50% of the average amount of Gas Revenue
23 Tax paid per residential gas utility customer in State fiscal
24 year 2005 multiplied by the number of residential gas utility
25 customers that received assistance from the Low Income Home
26 Energy Assistance Program during the State fiscal year 2005
27 winter heating season.

28 Section 99. Effective date. This Act takes effect upon
29 becoming law."