



Rep. Lisa M. Dugan

Filed: 3/24/2009

09600HB0796ham002

LRB096 07879 JAM 24271 a

1 AMENDMENT TO HOUSE BILL 796

2 AMENDMENT NO. _____. Amend House Bill 796, AS AMENDED, by
3 replacing the introductory paragraph of Section 10 with the
4 following:

5 "Section 10. The Energy Assistance Act is amended by
6 changing Sections 3, 4, 6, 8, and 13 as follows:"; and

7 in Section 10, by inserting after the last line of Sec. 4 the
8 following:

9 "(305 ILCS 20/6) (from Ch. 111 2/3, par. 1406)

10 Sec. 6. Eligibility, Conditions of Participation, and
11 Energy Assistance.

12 (a) Any person who is a resident of the State of Illinois
13 and whose household income is not greater than an amount
14 determined annually by the Department, in consultation with the
15 Policy Advisory Council, may apply for assistance pursuant to

1 this Act in accordance with regulations promulgated by the
2 Department. In setting the annual eligibility level, the
3 Department shall consider the amount of available funding and
4 may not set a limit higher than 150% of the federal nonfarm
5 poverty level as established by the federal Office of
6 Management and Budget; except that for the period ending June
7 30, 2012, or until the expenditure of federal resources
8 allocated for energy assistance programs by the American
9 Recovery and Reinvestment Act, whichever occurs first, the
10 Department may not establish limits higher than 200% of that
11 poverty level.

12 (b) Applicants who qualify for assistance pursuant to
13 subsection (a) of this Section shall, subject to appropriation
14 from the General Assembly and subject to availability of funds
15 to the Department, receive energy assistance as provided by
16 this Act. The Department, upon receipt of monies authorized
17 pursuant to this Act for energy assistance, shall commit funds
18 for each qualified applicant in an amount determined by the
19 Department. In determining the amounts of assistance to be
20 provided to or on behalf of a qualified applicant, the
21 Department shall ensure that the highest amounts of assistance
22 go to households with the greatest energy costs in relation to
23 household income. The Department shall include factors such as
24 energy costs, household size, household income, and region of
25 the State when determining individual household benefits. In
26 setting assistance levels, the Department shall attempt to

1 provide assistance to approximately the same number of
2 households who participated in the 1991 Residential Energy
3 Assistance Partnership Program. Such assistance levels shall
4 be adjusted annually on the basis of funding availability and
5 energy costs. In promulgating rules for the administration of
6 this Section the Department shall assure that a minimum of 1/3
7 of funds available for benefits to eligible households with the
8 lowest incomes and that elderly and disabled households are
9 offered a priority application period.

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

17 (d) If the applicant is a customer of an energy provider,
18 such applicant shall receive energy assistance in an amount
19 established by the Department for all such applicants under
20 this Act, such amount to be paid by the Department to the
21 energy provider supplying winter energy service to such
22 applicant. Such applicant shall:

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

25 (ii) sign a waiver permitting the Department to receive
26 income information from any public or private agency

1 providing income or energy assistance and from any
2 employer, whether public or private.

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

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

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

12 (ii) to assist the household in responding to
13 excessively high summer temperatures or energy costs.
14 Households containing elderly members, children, a person
15 with a disability, or a person with a medical need for
16 conditioned air shall receive priority for receipt of such
17 benefits.

18 (Source: P.A. 91-936, eff. 1-10-01; 92-690, eff. 7-18-02.)".