

SB2271



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB2271

Introduced 2/20/2009, by Sen. David Koehler

SYNOPSIS AS INTRODUCED:

305 ILCS 20/6

from Ch. 111 2/3, par. 1406

Amends the Energy Assistance Act. Provides that in determining the amount of a household's annual income, the Department of Healthcare and Family Services shall consider the household's extraordinary medical expenses, including but not limited to expenses related to life support equipment for a household member. Provides that in determining the amount of assistance to be provided to a household, the Department shall consider a household member's extraordinary medical needs, including but not limited to a need for life support equipment. Effective immediately.

LRB096 11281 DRJ 21708 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 changing
5 Section 6 as follows:

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

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

9 (a) Any person who is a resident of the State of Illinois
10 and whose household income is not greater than an amount
11 determined annually by the Department, in consultation with the
12 Policy Advisory Council, may apply for assistance pursuant to
13 this Act in accordance with regulations promulgated by the
14 Department. In setting the annual eligibility level, the
15 Department shall consider the amount of available funding and
16 may not set a limit higher than 150% of the federal nonfarm
17 poverty level as established by the federal Office of
18 Management and Budget. Notwithstanding any other provision of
19 this Section, in determining the amount of a household's annual
20 income, the Department shall consider the household's
21 extraordinary medical expenses, including but not limited to
22 expenses related to life support equipment for a household
23 member.

1 (b) Applicants who qualify for assistance pursuant to
2 subsection (a) of this Section shall, subject to appropriation
3 from the General Assembly and subject to availability of funds
4 to the Department, receive energy assistance as provided by
5 this Act. The Department, upon receipt of monies authorized
6 pursuant to this Act for energy assistance, shall commit funds
7 for each qualified applicant in an amount determined by the
8 Department. In determining the amounts of assistance to be
9 provided to or on behalf of a qualified applicant, the
10 Department shall ensure that the highest amounts of assistance
11 go to households with the greatest energy costs in relation to
12 household income. The Department shall include factors such as
13 energy costs, household size, household income, extraordinary
14 medical needs of a household member, including but not limited
15 to a need for life support equipment, and region of the State
16 when determining individual household benefits. In setting
17 assistance levels, the Department shall attempt to provide
18 assistance to approximately the same number of households who
19 participated in the 1991 Residential Energy Assistance
20 Partnership Program. Such assistance levels shall be adjusted
21 annually on the basis of funding availability and energy costs.
22 In promulgating rules for the administration of this Section
23 the Department shall assure that a minimum of 1/3 of funds
24 available for benefits to eligible households with the lowest
25 incomes and that elderly and disabled households are offered a
26 priority application period.

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

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

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

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

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

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

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

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

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

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.