



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB5007

Introduced 2/7/2012, by Rep. Marlow H. Colvin

SYNOPSIS AS INTRODUCED:

305 ILCS 20/6

from Ch. 111 2/3, par. 1406

Amends the Energy Assistance Act. In regard to setting the annual eligibility level for the Energy Assistance Program, provides that for the period ending June 30, 2013, the Department of Commerce and Economic Opportunity may not establish limits higher than 200% of the federal nonfarm poverty level (rather than for the period ending June 30, 2012, or until the expenditure of federal resources allocated for energy assistance programs by the American Recovery and Reinvestment Act, whichever occurs first, the Department may not establish limits higher than 200% of that poverty level). Effective immediately.

LRB097 18977 KTG 64216 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; except that for the period ending June
19 30, 2013, ~~2012, or until the expenditure of federal resources~~
20 ~~allocated for energy assistance programs by the American~~
21 ~~Recovery and Reinvestment Act, whichever occurs first,~~ the
22 Department may not establish limits higher than 200% of that
23 poverty level.

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, and region of
14 the State when determining individual household benefits. In
15 setting assistance levels, the Department shall attempt to
16 provide assistance to approximately the same number of
17 households who participated in the 1991 Residential Energy
18 Assistance Partnership Program. Such assistance levels shall
19 be adjusted annually on the basis of funding availability and
20 energy costs. In promulgating rules for the administration of
21 this Section the Department shall assure that a minimum of 1/3
22 of funds available for benefits to eligible households with the
23 lowest incomes and that elderly and disabled households are
24 offered a priority application period.

25 (c) If the applicant is not a customer of record of an
26 energy provider for energy services or an applicant for such

1 service, such applicant shall receive a direct energy
2 assistance payment in an amount established by the Department
3 for all such applicants under this Act; provided, however, that
4 such an applicant must have rental expenses for housing greater
5 than 30% of household income.

6 (c-1) This subsection shall apply only in cases where: (1)
7 the applicant is not a customer of record of an energy provider
8 because energy services are provided by the owner of the unit
9 as a portion of the rent; (2) the applicant resides in housing
10 subsidized or developed with funds provided under the Rental
11 Housing Support Program Act or under a similar locally funded
12 rent subsidy program, or is the voucher holder who resides in a
13 rental unit within the State of Illinois and whose monthly rent
14 is subsidized by the tenant-based Housing Choice Voucher
15 Program under Section 8 of the U.S. Housing Act of 1937; and
16 (3) the rental expenses for housing are no more than 30% of
17 household income. In such cases, the household may apply for an
18 energy assistance payment under this Act and the owner of the
19 housing unit shall cooperate with the applicant by providing
20 documentation of the energy costs for that unit. Any
21 compensation paid to the energy provider who supplied energy
22 services to the household shall be paid on behalf of the owner
23 of the housing unit providing energy services to the household.
24 The Department shall report annually to the General Assembly on
25 the number of households receiving energy assistance under this
26 subsection and the cost of such assistance. The provisions of

1 this subsection (c-1), other than this sentence, are
2 inoperative after August 31, 2012.

3 (d) If the applicant is a customer of an energy provider,
4 such applicant shall receive energy assistance in an amount
5 established by the Department for all such applicants under
6 this Act, such amount to be paid by the Department to the
7 energy provider supplying winter energy service to such
8 applicant. Such applicant shall:

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

11 (ii) sign a waiver permitting the Department to receive
12 income information from any public or private agency
13 providing income or energy assistance and from any
14 employer, whether public or private.

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

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

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

24 (ii) to assist the household in responding to
25 excessively high summer temperatures or energy costs.
26 Households containing elderly members, children, a person

1 with a disability, or a person with a medical need for
2 conditioned air shall receive priority for receipt of such
3 benefits.

4 (Source: P.A. 96-154, eff. 1-1-10; 96-157, eff. 9-1-09;
5 96-1000, eff. 7-2-10.)

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.