

1 AN ACT in relation to energy assistance.

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 of 1989 is amended
5 by changing Section 6 as follows:

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

7 Sec. 6. Energy assistance; eligibility and, conditions
8 of participation, ~~and Energy Assistance~~.

9 (a) Any person who is a resident of the State of
10 Illinois and whose household income is not greater than an
11 amount determined annually by the Department, in consultation
12 with the Policy Advisory Council, may apply for assistance
13 pursuant to this Act in accordance with regulations
14 promulgated by the Department. In setting the annual
15 eligibility level, the Department shall consider the amount
16 of available funding and may not set a limit higher than 150%
17 of the federal nonfarm poverty level as established by the
18 federal Office of Management and Budget.

19 (b) Applicants who qualify for assistance pursuant to
20 subsection (a) of this Section shall, subject to
21 appropriation from the General Assembly and subject to
22 availability of funds to the Department, receive energy
23 assistance as provided by this Act. The Department, upon
24 receipt of monies authorized pursuant to this Act for energy
25 assistance, shall commit funds for each qualified applicant
26 in an amount determined by the Department. In determining
27 the amounts of assistance to be provided to or on behalf of a
28 qualified applicant, the Department shall ensure that the
29 highest amounts of assistance go to households with the
30 greatest energy costs in relation to household income. The
31 Department shall include factors such as energy costs,

1 household size, household income, and region of the State
2 when determining individual household benefits. In setting
3 assistance levels, the Department shall attempt to provide
4 assistance to approximately the same number of households who
5 participated in the 1991 Residential Energy Assistance
6 Partnership Program. Such assistance levels shall be
7 adjusted annually on the basis of funding availability. In
8 promulgating rules for the administration of this Section the
9 Department shall assure that a minimum of 1/3 of funds
10 available for benefits to eligible households are made
11 available to households who are eligible for public
12 assistance and that elderly and disabled households are
13 offered a one-month application period.

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

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

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

29 (ii) sign a waiver permitting the Department to
30 receive income information from any public or private
31 agency providing income or energy assistance and from any
32 employer, whether public or private.

33 (e) Any qualified applicant pursuant to this Section may
34 receive or have paid on such applicant's behalf an emergency

1 assistance payment to enable such applicant to obtain access
2 to winter energy services. Any such payments shall be made
3 in accordance with regulations of the Department.

4 (Source: P.A. 91-936, eff. 1-10-01.)