

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. Eligibility, Conditions of Participation, and
8 Energy Assistance.

9 (a) Any person who is a resident of the State of
10 Illinois and whose household income is not greater than 150%
11 of the poverty guidelines for nonfarm families updated
12 annually in the Federal Register by the U.S. Department of
13 Health and Human Service under authority of 42 U.S.C. 9902(2)
14 ~~an---amount---determined---annually--by--the--Department,~~
15 ~~in consultation with the Policy Advisory Council,~~ may apply for
16 assistance pursuant to this Act in accordance with
17 regulations promulgated by the Department. ~~In--setting--the~~
18 ~~annual--eligibility--level,~~ ~~the Department shall consider the~~
19 ~~amount of available funding and may not set--a--limit--higher~~
20 ~~than 150% of the federal nonfarm poverty level as established~~
21 ~~by the federal Office of Management and Budget.~~

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

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

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

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

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

32 (ii) sign a waiver permitting the Department to
33 receive income information from any public or private
34 agency providing income or energy assistance and from any

1 employer, whether public or private.

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

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

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.