

1 AN ACT in relation to assistance for low-income persons.

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 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. In distributing  
24 assistance under this Act, the Department shall give first  
25 priority to persons who are more than 65 years of age and  
26 whose monthly household income is less than \$1,000. The  
27 Department, upon receipt of monies authorized pursuant to  
28 this Act for energy assistance, shall commit funds for each  
29 qualified applicant in an amount determined by the  
30 Department. In determining the amounts of assistance to be  
31 provided to or on behalf of a qualified applicant, the

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

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

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

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

33 (ii) sign a waiver permitting the Department to  
34 receive income information from any public or private

1           agency 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  
6           to winter energy services. Any such payments shall be made  
7           in accordance with regulations of the Department.

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

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