

SB0426



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

SB0426

Introduced 1/28/2015, by Sen. John J. Cullerton

SYNOPSIS AS INTRODUCED:

305 ILCS 20/6

from Ch. 111 2/3, par. 1406

Amends the Energy Assistance Act. Makes a technical change in a Section concerning eligibility for and participation in the energy assistance program.

LRB099 03258 KTG 23266 b

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 ~~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 promulgated
14 by the 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, the Department may not establish limits higher than
20 200% of that poverty level or the maximum level provided for by
21 federal guidelines.

22 (b) Applicants who qualify for assistance pursuant to
23 subsection (a) of this Section shall, subject to appropriation

1 from the General Assembly and subject to availability of funds
2 to the Department, receive energy assistance as provided by
3 this Act. The Department, upon receipt of monies authorized
4 pursuant to this Act for energy assistance, shall commit funds
5 for each qualified applicant in an amount determined by the
6 Department. In determining the amounts of assistance to be
7 provided to or on behalf of a qualified applicant, the
8 Department shall ensure that the highest amounts of assistance
9 go to households with the greatest energy costs in relation to
10 household income. The Department shall include factors such as
11 energy costs, household size, household income, and region of
12 the State when determining individual household benefits. In
13 setting assistance levels, the Department shall attempt to
14 provide assistance to approximately the same number of
15 households who participated in the 1991 Residential Energy
16 Assistance Partnership Program. Such assistance levels shall
17 be adjusted annually on the basis of funding availability and
18 energy costs. In promulgating rules for the administration of
19 this Section the Department shall assure that a minimum of 1/3
20 of funds available for benefits to eligible households with the
21 lowest incomes and that elderly and disabled households are
22 offered a priority application period.

23 (c) If the applicant is not a customer of record of an
24 energy provider for energy services or an applicant for such
25 service, such applicant shall receive a direct energy
26 assistance payment in an amount established by the Department

1 for all such applicants under this Act; provided, however, that
2 such an applicant must have rental expenses for housing greater
3 than 30% of household income.

4 (c-1) This subsection shall apply only in cases where: (1)
5 the applicant is not a customer of record of an energy provider
6 because energy services are provided by the owner of the unit
7 as a portion of the rent; (2) the applicant resides in housing
8 subsidized or developed with funds provided under the Rental
9 Housing Support Program Act or under a similar locally funded
10 rent subsidy program, or is the voucher holder who resides in a
11 rental unit within the State of Illinois and whose monthly rent
12 is subsidized by the tenant-based Housing Choice Voucher
13 Program under Section 8 of the U.S. Housing Act of 1937; and
14 (3) the rental expenses for housing are no more than 30% of
15 household income. In such cases, the household may apply for an
16 energy assistance payment under this Act and the owner of the
17 housing unit shall cooperate with the applicant by providing
18 documentation of the energy costs for that unit. Any
19 compensation paid to the energy provider who supplied energy
20 services to the household shall be paid on behalf of the owner
21 of the housing unit providing energy services to the household.
22 The Department shall report annually to the General Assembly on
23 the number of households receiving energy assistance under this
24 subsection and the cost of such assistance. The provisions of
25 this subsection (c-1), other than this sentence, are
26 inoperative after August 31, 2012.

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

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

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

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

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

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

22 (ii) to assist the household in responding to
23 excessively high summer temperatures or energy costs.
24 Households containing elderly members, children, a person
25 with a disability, or a person with a medical need for
26 conditioned air shall receive priority for receipt of such

1 benefits.

2 (Source: P.A. 96-154, eff. 1-1-10; 96-157, eff. 9-1-09;

3 96-1000, eff. 7-2-10; 97-721, eff. 6-29-12.)