



Rep. Elizabeth "Lisa" Hernandez

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10400HB1867ham001

LRB104 08531 KTG 24288 a

1 AMENDMENT TO HOUSE BILL 1867

2 AMENDMENT NO. _____. Amend House Bill 1867 by replacing
3 line 5 on page 17 through line 3 on page 22 with the following:

4 "Section 10. The Energy Assistance Act is amended by
5 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 Illinois
10 and whose household income is not greater than an amount
11 determined annually by the Department, in consultation with
12 the Policy Advisory Council, may apply for assistance pursuant
13 to 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 set the limit at the maximum allowable by law for each

1 applicant household size, which as of the effective date of
2 this amendatory Act of the 104th General Assembly is ~~may not~~
3 ~~set a limit higher than~~ 150% of the federal nonfarm poverty
4 level as established by the federal Office of Management and
5 Budget or 60% of the State median income for the current State
6 fiscal year as established by the U.S. Department of Health
7 and Human Services, ~~except that for the period from the~~
8 ~~effective date of this amendatory Act of the 101st General~~
9 ~~Assembly through June 30, 2021, the Department may establish~~
10 ~~limits not higher than 200% of that poverty level.~~ The
11 Department, in consultation with the Policy Advisory Council,
12 may adjust the percentage of poverty level annually to the
13 maximum allowable by law for each applicant household size, in
14 accordance with federal guidelines and based on funding
15 availability.

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

1 household income. The Department shall include factors such as
2 energy costs, household size, household income, and region of
3 the State when determining individual household benefits. In
4 setting assistance levels, the Department shall attempt to
5 provide assistance to approximately the same number of
6 households who participated in the 1991 Residential Energy
7 Assistance Partnership Program. Such assistance levels shall
8 be adjusted annually on the basis of funding availability and
9 energy costs. In promulgating rules for the administration of
10 this Section the Department shall assure that a minimum of 1/3
11 of funds available for benefits to eligible households with
12 the lowest incomes and that elderly households, households
13 with children under the age of 6 years old, and households with
14 persons with disabilities are offered a priority application
15 period.

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

23 (c-1) This subsection shall apply only in cases where: (1)
24 the applicant is not a customer of record of an energy provider
25 because energy services are provided by the owner of the unit
26 as a portion of the rent; (2) the applicant resides in housing

1 subsidized or developed with funds provided under the Rental
2 Housing Support Program Act or under a similar locally funded
3 rent subsidy program, or is the voucher holder who resides in a
4 rental unit within the State of Illinois and whose monthly
5 rent is subsidized by the tenant-based Housing Choice Voucher
6 Program under Section 8 of the U.S. Housing Act of 1937; and
7 (3) the rental expenses for housing are no more than 30% of
8 household income. In such cases, the household may apply for
9 an energy assistance payment under this Act and the owner of
10 the housing unit shall cooperate with the applicant by
11 providing documentation of the energy costs for that unit. Any
12 compensation paid to the energy provider who supplied energy
13 services to the household shall be paid on behalf of the owner
14 of the housing unit providing energy services to the
15 household. The Department shall report annually to the General
16 Assembly on the number of households receiving energy
17 assistance under this subsection and the cost of such
18 assistance.

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

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

1 (ii) sign a waiver permitting the Department to
2 receive income information from any public or private
3 agency providing income or energy assistance and from any
4 employer, whether public or private.

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

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

12 (i) for the reduction of past due amounts owed to
13 energy providers;

14 (ii) to assist the household in responding to
15 excessively high summer temperatures or energy costs.
16 Households containing elderly members, children, a person
17 with a disability, or a person with a medical need for
18 conditioned air shall receive priority for receipt of such
19 benefits; and

20 (iii) for the installation of energy conservation
21 measures, health and safety measures, healthy home
22 measures, home improvement measures to help alleviate
23 deferrals from weatherization activities, and renewable
24 energy retrofits.

25 (Source: P.A. 102-16, eff. 6-17-21; 102-176, eff. 6-1-22;
26 102-699, eff. 4-19-22; 103-663, eff. 1-1-25.)".