



Rep. Laura Faver Dias

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1 AMENDMENT TO HOUSE BILL 4456

2 AMENDMENT NO. _____. Amend House Bill 4456 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Public Utilities Act is amended by
5 changing Section 9-241 as follows:

6 (220 ILCS 5/9-241) (from Ch. 111 2/3, par. 9-241)

7 Sec. 9-241. Nondiscrimination.

8 (a) No public utility shall, as to rates or other charges,
9 services, facilities or in other respect, make or grant any
10 preference or advantage to any corporation or person or
11 subject any corporation or person to any prejudice or
12 disadvantage. No public utility shall establish or maintain
13 any unreasonable difference as to rates or other charges,
14 services, facilities, or in any other respect, either as
15 between localities or as between classes of service.

16 (b) An electric utility in a county with a population of

1 3,000,000 or more shall not establish or maintain any
2 unreasonable difference as to rates or other charges,
3 services, contractual terms, or facilities for access to or
4 the use of its utility infrastructure by another person or for
5 any other purpose. Notwithstanding any other provision of law,
6 the Commission and its staff shall interpret this Section in
7 accordance with Article XVI of this Act.

8 (c) Nothing in this Section shall be construed as limiting
9 the authority of the Commission to permit the establishment of
10 economic development rates as incentives to economic
11 development either in enterprise zones as designated by the
12 State of Illinois or in other areas of a utility's service
13 area. Such rates should be available to existing businesses
14 which demonstrate an increase to existing load as well as new
15 businesses which create new load for a utility so as to create
16 a more balanced utilization of generating capacity. The
17 Commission shall ensure that such rates are established at a
18 level which provides a net benefit to customers within a
19 public utility's service area.

20 (d) On or before January 1, 2023, the Commission shall
21 conduct a comprehensive study to assess whether low-income
22 discount rates for electric and natural gas residential
23 customers are appropriate and the potential design and
24 implementation of any such rates. The Commission shall include
25 its findings, together with the appropriate recommendations,
26 in a report to be provided to the General Assembly. Upon

1 completion of the study, the Commission shall have the
2 authority to permit or require electric and natural gas
3 utilities to file a tariff establishing low-income discount
4 rates.

5 Such study shall assess, at a minimum, the following:

6 (1) customer eligibility requirements, including
7 income-based eligibility and eligibility based on
8 participation in or eligibility for certain public
9 assistance programs;

10 (2) appropriate rate structures, including
11 consideration of tiered discounts for different income
12 levels;

13 (3) appropriate recovery mechanisms, including the
14 consideration of volumetric charges and customer charges;

15 (4) appropriate verification mechanisms;

16 (5) measures to ensure customer confidentiality and
17 data safeguards;

18 (6) outreach and consumer education procedures; and

19 (7) the impact that a low-income discount rate would
20 have on the affordability of delivery service to
21 low-income customers and customers overall.

22 (d-5) For the purposes of this subsection (d-5),
23 "qualifying customer" means a residential customer of a
24 utility serving more than 100,000 customers in the State that
25 has a low-income discount program for residential customers
26 (i) who has been deemed eligible for assistance under the

1 Low-Income Home Energy Assistance Program (LIHEAP) or who
2 receives energy assistance under the Energy Assistance Act and
3 (ii) whose household income does not exceed 300% of the
4 federal poverty level.

5 Notwithstanding the contents of the report required under
6 subsection (d) and any other provision of this Act, the
7 Commission may approve a low-income discount for electric and
8 natural gas residential customers that applies to the entirety
9 of a qualifying customer's bill, including, but not limited
10 to, a qualifying customer's delivery service charges, energy
11 supply charges, and any other applicable charges. The
12 low-income discount under this subsection (d-5) shall not
13 apply to, or otherwise reduce, any State or municipal taxes or
14 any nonbypassable charge approved by the Commission or defined
15 in a public utility's tariff and included in the qualifying
16 customer's bill. An electric or natural gas utility may fund
17 its low-income discounts under this subsection (d-5) through a
18 surcharge on both its residential and non-residential
19 customers' electric and natural gas bills. Any charges,
20 surcharges, or cost recovery mechanisms authorized or approved
21 by the Commission under this Section shall be assessed solely
22 on a fixed, per-customer basis and shall not be designed,
23 implemented, or recovered on a volumetric, usage-based,
24 demand-based, or throughput basis, whether directly or
25 indirectly. Charges authorized under this Section may vary by
26 customer class or rate classification.

1 Any electric or natural gas public utility serving more
2 than 100,000 customers in the State that does not have a
3 low-income discount or that elects to implement a low-income
4 discount that complies with the requirements of this
5 subsection (d-5) on and after the effective date of this
6 amendatory Act of the 104th General Assembly shall, within 30
7 days after the effective date of this amendatory Act of the
8 104th General Assembly, file a new or amended tariff with the
9 Commission to implement the new low-income discount or bring
10 the utility's low-income discount into compliance with this
11 subsection (d-5). The Commission shall issue a final order
12 approving, or approving with modifications aligning the tariff
13 with the requirements of this subsection (d-5), the utility's
14 tariff within 90 days after receipt of the utility's filing.
15 The utility shall implement the changes necessary to put the
16 approved low-income discount into effect no later than 12
17 months after the issuance of the Commission's final order
18 approving the low-income discount. If the utility needs more
19 than 12 months to implement the necessary changes, the utility
20 shall have, upon filing a notice with the Commission, an
21 additional 12 months to implement the changes necessary to put
22 the approved low-income discount into effect. Any tariff from
23 a utility establishing a low-income discount that is in effect
24 as of the effective date of this amendatory Act of the 104th
25 General Assembly shall remain in effect until the utility
26 implements an updated low-income discount that satisfies the

1 requirements of this subsection (d-5). A utility shall be
2 entitled to recover prudent and reasonable costs incurred in
3 complying with this subsection (d-5).

4 In reviewing and approving any low-income discount under
5 this subsection (d-5), the Commission shall take into
6 consideration the effect of the low-income discount on, and
7 shall endeavor to maximize, the allocation and receipt of
8 federal LIHEAP grants, funds under Section 13 of the Energy
9 Assistance Act, and any other State and federal energy
10 assistance funds that are available to the State. The
11 low-income discounts authorized under this subsection (d-5)
12 may include, but are not limited to, tiered discounts or a
13 Percentage of Income Payment Plan (PIPP) program. For any
14 low-income discounts approved by the Commission after the
15 effective date of this amendatory Act of the 104th General
16 Assembly, the calculation of the low-income discount to be
17 applied to a qualifying customer's bill shall be applied after
18 any federal or State energy assistance funds are allocated and
19 applied to the qualifying customer's bill.

20 Nothing in this subsection (d-5) shall be interpreted to
21 limit, modify, or nullify any low-income discount rate that is
22 in effect for a regulated water utility as of the effective
23 date of this amendatory Act of the 104th General Assembly or
24 prohibit Commission approval of any future proposal for a
25 low-income discount rate for such regulated water utility.

26 (e) The Commission shall adopt rules requiring utility

1 companies to produce information, in the form of a mailing,
2 and other approved methods of distribution, to its consumers,
3 to inform the consumers of available rebates, discounts,
4 credits, and other cost-saving mechanisms that can help them
5 lower their monthly utility bills, and send out such
6 information semi-annually, unless otherwise provided by this
7 Article.

8 (f) Prior to October 1, 1989, no public utility providing
9 electrical or gas service shall consider the use of solar or
10 other nonconventional renewable sources of energy by a
11 customer as a basis for establishing higher rates or charges
12 for any service or commodity sold to such customer; nor shall a
13 public utility subject any customer utilizing such energy
14 source or sources to any other prejudice or disadvantage on
15 account of such use. No public utility shall without the
16 consent of the Commission, charge or receive any greater
17 compensation in the aggregate for a lesser commodity, product,
18 or service than for a greater commodity, product or service of
19 like character.

20 The Commission, in order to expedite the determination of
21 rate questions, or to avoid unnecessary and unreasonable
22 expense, or to avoid unjust or unreasonable discrimination
23 between classes of customers, or, whenever in the judgment of
24 the Commission public interest so requires, may, for rate
25 making and accounting purposes, or either of them, consider
26 one or more municipalities either with or without the adjacent

1 or intervening rural territory as a regional unit where the
2 same public utility serves such region under substantially
3 similar conditions, and may within such region prescribe
4 uniform rates for consumers or patrons of the same class.

5 Any public utility, with the consent and approval of the
6 Commission, may as a basis for the determination of the
7 charges made by it classify its service according to the
8 amount used, the time when used, the purpose for which used,
9 and other relevant factors.

10 (Source: P.A. 102-662, eff. 9-15-21; 103-679, eff. 7-19-24.)

11 Section 10. The Energy Assistance Act is amended by
12 changing Sections 6 and 13 as follows:

13 (305 ILCS 20/6) (from Ch. 111 2/3, par. 1406)

14 Sec. 6. Eligibility, conditions of participation, and
15 energy assistance.

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

1 Management and Budget or 60% of the State median income for the
2 current State fiscal year as established by the U.S.
3 Department of Health and Human Services; ~~except that for the~~
4 ~~period from the effective date of this amendatory Act of the~~
5 ~~101st General Assembly through June 30, 2021, the Department~~
6 ~~may establish limits not higher than 200% of that poverty~~
7 ~~level.~~ In setting the annual eligibility level for the use of
8 State funds from the Supplemental Low-Income Energy Assistance
9 Fund under Section 13, the Department shall consider the
10 amount of available funding and may not set a limit higher than
11 300% of the federal nonfarm poverty level as established by
12 the federal Office of Management and Budget. The Department,
13 in consultation with the Policy Advisory Council, may adjust
14 the percentage of poverty level annually in accordance with
15 federal guidelines and based on funding 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.)

1 (305 ILCS 20/13)

2 Sec. 13. Supplemental Low-Income Energy Assistance Fund.

3 (a) The Supplemental Low-Income Energy Assistance Fund is
4 hereby created as a special fund in the State Treasury. The
5 Supplemental Low-Income Energy Assistance Fund is authorized
6 to receive moneys from voluntary donations from individuals,
7 foundations, corporations, and other sources, moneys received
8 pursuant to Section 17, and, by statutory deposit, the moneys
9 collected pursuant to this Section. The Fund is also
10 authorized to receive voluntary donations from individuals,
11 foundations, corporations, and other sources. Subject to
12 appropriation, the Department shall use moneys from the
13 Supplemental Low-Income Energy Assistance Fund for: (i)
14 payments to electric or gas public utilities, municipal
15 electric or gas utilities, and electric cooperatives on behalf
16 of their customers who are participants in the program
17 authorized by Sections 4 and 18 of this Act; (ii) the provision
18 of weatherization services, including, but not limited to, the
19 installation of energy conservation measures, health and
20 safety measures, healthy home measures, home improvement
21 measures to alleviate the deferrals of certain projects,
22 including, but not limited to, roofs and foundation repairs,
23 and renewable energy retrofits; and (iii) administration of
24 the Supplemental Low-Income Energy Assistance Fund. All other
25 deposits outside of the Energy Assistance Charge as set forth

1 in subsection (b) are not subject to the percentage
2 restrictions related to administrative and weatherization
3 expenses provided in this subsection. The yearly expenditures
4 for weatherization may not exceed 10% of the amount collected
5 during the year pursuant to this Section, except when unspent
6 funds from the Supplemental Low-Income Energy Assistance Fund
7 are reallocated from a previous year; any unspent balance of
8 the 10% weatherization allowance may be utilized for
9 weatherization expenses in the year they are reallocated. The
10 yearly administrative expenses of the Supplemental Low-Income
11 Energy Assistance Fund may not exceed 15% ~~13%~~ of the amount
12 collected during that year pursuant to this Section, except
13 when unspent funds from the Supplemental Low-Income Energy
14 Assistance Fund are reallocated from a previous year; any
15 unspent balance of the 15% ~~13%~~ administrative allowance may be
16 utilized for administrative expenses in the year they are
17 reallocated. Of the 15% ~~13%~~ administrative allowance, no less
18 than 9% ~~8%~~ shall be provided to Local Administrative Agencies
19 for administrative expenses.

20 (b) Notwithstanding the provisions of Section 16-111 of
21 the Public Utilities Act but subject to subsection (k) of this
22 Section, each public utility, electric cooperative, as defined
23 in Section 3.4 of the Electric Supplier Act, and municipal
24 utility, as referenced in Section 3-105 of the Public
25 Utilities Act, that is engaged in the delivery of electricity
26 or the distribution of natural gas within the State of

1 Illinois shall, effective January 1, 2021, assess each of its
2 customer accounts a monthly Energy Assistance Charge for the
3 Supplemental Low-Income Energy Assistance Fund. The delivering
4 public utility, municipal electric or gas utility, or electric
5 or gas cooperative for a self-assessing purchaser remains
6 subject to the collection of the fee imposed by this Section.
7 The monthly charge shall be as follows:

8 (1) Base Energy Assistance Charge per month on each
9 account for residential electrical service;

10 (2) Base Energy Assistance Charge per month on each
11 account for residential gas service;

12 (3) Ten times the Base Energy Assistance Charge per
13 month on each account for non-residential electric service
14 which had less than 10 megawatts of peak demand during the
15 previous calendar year;

16 (4) Ten times the Base Energy Assistance Charge per
17 month on each account for non-residential gas service
18 which had distributed to it less than 4,000,000 therms of
19 gas during the previous calendar year;

20 (5) Three hundred and seventy-five times the Base
21 Energy Assistance Charge per month on each account for
22 non-residential electric service which had 10 megawatts or
23 greater of peak demand during the previous calendar year;
24 and

25 (6) Three hundred and seventy-five times the Base
26 Energy Assistance Charge per month on each account for

1 non-residential gas service which had 4,000,000 or more
2 therms of gas distributed to it during the previous
3 calendar year.

4 The Base Energy Assistance Charge shall be \$0.48 per month
5 for the calendar year beginning January 1, 2022 and shall
6 increase by \$0.16 per month for any calendar year, provided no
7 less than 80% of the previous State fiscal year's available
8 Supplemental Low-Income Energy Assistance Fund funding was
9 exhausted. The maximum Base Energy Assistance Charge shall not
10 exceed \$0.80 ~~\$0.96~~ per month for any calendar year.

11 Beginning January 1, 2027, the Base Energy Assistance
12 Charge shall be \$0.80 per month, with no additional step-up
13 provisions, for each utility that is required by the
14 Commission to implement a low-income discount program and
15 shall be \$0.40 per month for each utility that is not required
16 to implement a low-income discount program and that
17 contributes to the Supplemental Low-Income Energy Assistance
18 Fund.

19 The incremental change to such charges imposed by Public
20 Act 99-933 and Public Act 102-16 ~~this amendatory Act of the~~
21 ~~102nd General Assembly~~ shall not (i) be used for any purpose
22 other than to directly assist customers and (ii) be applicable
23 to utilities serving less than 100,000 customers in Illinois
24 on January 1, 2021. ~~The incremental change to such charges~~
25 ~~imposed by this amendatory Act of the 102nd General Assembly~~
26 ~~are intended to increase utilization of the Percentage of~~

1 ~~Income Payment Plan (PIPP or PIP Plan) and shall be applied~~
2 ~~such that PIP Plan enrollment is at least doubled, as compared~~
3 ~~to 2020 enrollment, by 2024.~~

4 ~~In addition, electric and gas utilities have committed,~~
5 ~~and shall contribute, a one time payment of \$22 million to the~~
6 ~~Fund, within 10 days after the effective date of the tariffs~~
7 ~~established pursuant to Sections 16 111.8 and 19 145 of the~~
8 ~~Public Utilities Act to be used for the Department's cost of~~
9 ~~implementing the programs described in Section 18 of this~~
10 ~~amendatory Act of the 96th General Assembly, the Arrearage~~
11 ~~Reduction Program described in Section 18, and the programs~~
12 ~~described in Section 8 105 of the Public Utilities Act. If a~~
13 ~~utility elects not to file a rider within 90 days after the~~
14 ~~effective date of this amendatory Act of the 96th General~~
15 ~~Assembly, then the contribution from such utility shall be~~
16 ~~made no later than February 1, 2010.~~

17 (c) For purposes of this Section:

18 (1) "residential electric service" means electric
19 utility service for household purposes delivered to a
20 dwelling of 2 or fewer units which is billed under a
21 residential rate, or electric utility service for
22 household purposes delivered to a dwelling unit or units
23 which is billed under a residential rate and is registered
24 by a separate meter for each dwelling unit;

25 (2) "residential gas service" means gas utility
26 service for household purposes distributed to a dwelling

1 of 2 or fewer units which is billed under a residential
2 rate, or gas utility service for household purposes
3 distributed to a dwelling unit or units which is billed
4 under a residential rate and is registered by a separate
5 meter for each dwelling unit;

6 (3) "non-residential electric service" means electric
7 utility service which is not residential electric service;
8 and

9 (4) "non-residential gas service" means gas utility
10 service which is not residential gas service.

11 (d) Within 30 days after the effective date of this
12 amendatory Act of the 96th General Assembly, each public
13 utility engaged in the delivery of electricity or the
14 distribution of natural gas shall file with the Illinois
15 Commerce Commission tariffs incorporating the Energy
16 Assistance Charge in other charges stated in such tariffs,
17 which shall become effective no later than the beginning of
18 the first billing cycle following such filing.

19 (e) The Energy Assistance Charge assessed by electric and
20 gas public utilities shall be considered a charge for public
21 utility service.

22 (f) By the 20th day of the month following the month in
23 which the charges imposed by the Section were collected, each
24 public utility, municipal utility, and electric cooperative
25 shall remit to the Department of Revenue all moneys received
26 as payment of the Energy Assistance Charge on a return

1 prescribed and furnished by the Department of Revenue showing
2 such information as the Department of Revenue may reasonably
3 require; provided, however, that a utility offering an
4 Arrearage Reduction Program or Supplemental Arrearage
5 Reduction Program pursuant to Section 18 of this Act shall be
6 entitled to net those amounts necessary to fund and recover
7 the costs of such Programs as authorized by that Section that
8 is no more than the incremental change in such Energy
9 Assistance Charge authorized by Public Act 96-33. If a
10 customer makes a partial payment, a public utility, municipal
11 utility, or electric cooperative may elect either: (i) to
12 apply such partial payments first to amounts owed to the
13 utility or cooperative for its services and then to payment
14 for the Energy Assistance Charge or (ii) to apply such partial
15 payments on a pro-rata basis between amounts owed to the
16 utility or cooperative for its services and to payment for the
17 Energy Assistance Charge.

18 If any payment provided for in this Section exceeds the
19 distributor's liabilities under this Act, as shown on an
20 original return, the Department may authorize the distributor
21 to credit such excess payment against liability subsequently
22 to be remitted to the Department under this Act, in accordance
23 with reasonable rules adopted by the Department. If the
24 Department subsequently determines that all or any part of the
25 credit taken was not actually due to the distributor, the
26 distributor's discount shall be reduced by an amount equal to

1 the difference between the discount as applied to the credit
2 taken and that actually due, and that distributor shall be
3 liable for penalties and interest on such difference.

4 (g) The Department of Revenue shall deposit into the
5 Supplemental Low-Income Energy Assistance Fund all moneys
6 remitted to it in accordance with subsection (f) of this
7 Section. The utilities shall coordinate with the Department to
8 establish an equitable and practical methodology for
9 implementing this subsection (g) beginning with the 2010
10 program year.

11 (h) On or before December 31, 2002, the Department shall
12 prepare a report for the General Assembly on the expenditure
13 of funds appropriated from the Low-Income Energy Assistance
14 Block Grant Fund for the program authorized under Section 4 of
15 this Act.

16 (i) The Department of Revenue may establish such rules as
17 it deems necessary to implement this Section.

18 (j) The Department of Commerce and Economic Opportunity
19 may establish such rules as it deems necessary to implement
20 this Section.

21 (k) The charges imposed by this Section shall only apply
22 to customers of municipal electric or gas utilities and
23 electric or gas cooperatives if the municipal electric or gas
24 utility or electric or gas cooperative makes an affirmative
25 decision to impose the charge. If a municipal electric or gas
26 utility or an electric cooperative makes an affirmative

1 decision to impose the charge provided by this Section, the
2 municipal electric or gas utility or electric cooperative
3 shall inform the Department of Revenue in writing of such
4 decision when it begins to impose the charge. If a municipal
5 electric or gas utility or electric or gas cooperative does
6 not assess this charge, the Department may not use funds from
7 the Supplemental Low-Income Energy Assistance Fund to provide
8 benefits to its customers under the program authorized by
9 Section 4 of this Act.

10 In its use of federal funds under this Act, the Department
11 may not cause a disproportionate share of those federal funds
12 to benefit customers of systems which do not assess the charge
13 provided by this Section.

14 (Source: P.A. 102-16, eff. 6-17-21; 102-176, eff. 6-1-22;
15 102-671, eff. 11-30-21; 102-673, eff. 11-30-21; 102-699, eff.
16 4-19-22; 103-820, eff. 8-9-24.)

17 Section 99. Effective date. This Act takes effect upon
18 becoming law."