



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB1260

Introduced 02/08/11, by Rep. Keith Farnham - Michelle Mussman

SYNOPSIS AS INTRODUCED:

220 ILCS 5/8-201.5

Amends the Public Utilities Act. Provides that notwithstanding any other provision of the Act, no utility during the period of time from December 1 through and including March 31 may disconnect service to any residential premises of which a service member or veteran is a primary occupant. Defines "veteran".

LRB097 06188 ASK 46262 b

1 AN ACT concerning veterans.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Public Utilities Act is amended by changing
5 Section 8-201.5 as follows:

6 (220 ILCS 5/8-201.5)

7 Sec. 8-201.5. Military personnel on active duty; no
8 stoppage of gas or electricity; arrearage; winter termination
9 for nonpayment by military personnel or veterans.

10 (a) In this Section:

11 "Active duty" means active duty pursuant to an executive
12 order of the President of the United States, an act of the
13 Congress of the United States, or an order of the Governor.

14 "Veteran" means an Illinois resident who has served as a
15 member of the armed services or reserve forces of the United
16 States or a member of the Illinois National Guard and who has
17 received an honorable discharge.

18 "Service member" means a member of the armed services or
19 reserve forces of the United States or a member of the Illinois
20 National Guard.

21 (b) No company or electric cooperative shall stop gas or
22 electricity from entering the residential premises of which a
23 service member was a primary occupant immediately before the

1 service member was deployed on active duty for nonpayment for
2 gas or electricity supplied to the residential premises.

3 (c) In order to be eligible for the benefits granted to
4 service members under this Section, a service member must
5 provide the company or electric cooperative with a copy of the
6 military or gubernatorial orders calling the service member to
7 active duty and of any orders further extending the service
8 member's period of active duty.

9 (d) Upon the return from active duty of a residential
10 consumer who is a service member, the company or electric
11 cooperative shall offer the residential consumer a period equal
12 to at least the period of deployment on active duty to pay any
13 arrearages incurred during the period of the residential
14 consumer's deployment. The company or electric cooperative
15 shall inform the residential consumer that, if the period that
16 the company or electric cooperative offers presents a hardship
17 to the consumer, the consumer may request a longer period to
18 pay the arrearages and, in the case of a company that is a
19 public utility, may request the assistance of the Illinois
20 Commerce Commission to obtain a longer period. No late payment
21 fees or interest shall be charged to the residential consumer
22 during the period of deployment or the repayment period.

23 (e) A violation of this Section constitutes a civil rights
24 violation under the Illinois Human Rights Act.

25 All proceeds from the collection of any civil penalty
26 imposed under this subsection shall be deposited into the

1 Illinois Military Family Relief Fund.

2 (d) Notwithstanding any other provision of this Act, no
3 utility during the period of time from December 1 through and
4 including March 31 may disconnect service to any residential
5 premises of which a service member or veteran is a primary
6 occupant.

7 (Source: P.A. 94-635, eff. 8-22-05; 94-802, eff. 5-26-06;
8 95-392, eff. 8-23-07.)