

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 6. 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 (i)
17 150% of the poverty guideline for nonfarm families as updated
18 annually in the Federal Register by the U.S. Department of
19 Health and Human Services under authority of 42 U.S.C.
20 9902(2) or (ii) 60% of the State median income promulgated by
21 the United States Secretary of Health and Human Services in
22 accordance with procedures established under 42 U.S.C.
23 1397a(a)(6) (as those procedures were in effect on August 12,
24 1981) and adjusted, in accordance with regulations prescribed
25 by the Secretary, to take into account the number of
26 individuals in the household, whichever results in the larger
27 number of persons eligible for assistance federal-nonfarm
28 poverty--level--as--established--by--the--federal--Office--of
29 Management-and-Budget.

30 (b) Applicants who qualify for assistance pursuant to
31 subsection (a) of this Section shall, subject to

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

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

32 (d) If the applicant is a customer of an energy
33 provider, such applicant shall receive energy assistance in
34 an amount established by the Department for all such

1 applicants under this Act, such amount to be paid by the
2 Department to the energy provider supplying winter energy
3 service to such applicant. Such applicant shall:

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

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

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

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

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