



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
SB0965

Introduced 2/18/2005, by Sen. Carol Ronen - Emil Jones, Jr.

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.

LRB094 04622 DRJ 34651 b

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.

19 (b) Applicants who qualify for assistance pursuant to
20 subsection (a) of this Section shall, subject to appropriation
21 from the General Assembly and subject to availability of funds
22 to the Department, receive energy assistance as provided by
23 this Act. The Department, upon receipt of monies authorized
24 pursuant to this Act for energy assistance, shall commit funds
25 for each qualified applicant in an amount determined by the
26 Department. In determining the amounts of assistance to be
27 provided to or on behalf of a qualified applicant, the
28 Department shall ensure that the highest amounts of assistance
29 go to households with the greatest energy costs in relation to
30 household income. The Department shall include factors such as
31 energy costs, household size, household income, and region of
32 the State when determining individual household benefits. In

1 setting assistance levels, the Department shall attempt to
2 provide assistance to approximately the same number of
3 households who participated in the 1991 Residential Energy
4 Assistance Partnership Program. Such assistance levels shall
5 be adjusted annually on the basis of funding availability and
6 energy costs. In promulgating rules for the administration of
7 this Section the Department shall assure that a minimum of 1/3
8 of funds available for benefits to eligible households with the
9 lowest incomes and that elderly and disabled households are
10 offered a priority application period.

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

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

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

26 (ii) sign a waiver permitting the Department to receive
27 income information from any public or private agency
28 providing income or energy assistance and from any
29 employer, whether public or private.

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

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

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

3 (ii) to assist the household in responding to
4 excessively high summer temperatures or energy costs.
5 Households containing elderly members, children, a person
6 with a disability, or a person with a medical need for
7 conditioned air shall receive priority for receipt of such
8 benefits.

9 (Source: P.A. 91-936, eff. 1-10-01; 92-690, eff. 7-18-02.)