



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB0245

Introduced 1/19/2007, by Rep. David Reis

SYNOPSIS AS INTRODUCED:

305 ILCS 20/6

from Ch. 111 2/3, par. 1406

Amends the Energy Assistance Act. Provides that if a recipient of energy assistance ceases to receive winter energy service from an energy provider before the end of the winter for which that energy assistance is provided, the energy provider shall credit the remaining unused balance of that recipient's energy assistance to the Local Administering Agency (LAA). Provides that the LAA shall hold those moneys in escrow until the recipient resumes receipt of winter energy service. Provides that when the recipient resumes receipt of winter energy service, the LAA shall ensure that the escrowed moneys are credited to the recipient's new winter energy service account for the remainder of that winter. Provides that the LAA may transfer the escrowed moneys to a different LAA if the recipient establishes an account for the supply of winter energy service in an area under the jurisdiction of a different LAA, and in that case the new LAA shall pay the moneys to the energy provider supplying winter energy service to the recipient. Provides that if the recipient does not establish another account for the supply of winter energy service during that winter, the original LAA may use the escrowed moneys to make energy assistance grants for the following winter.

LRB095 03791 DRJ 23821 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 State of Illinois
10 and whose household income is not greater than an amount
11 determined annually by the Department, in consultation with the
12 Policy Advisory Council, may apply for assistance pursuant to
13 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 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

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

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

1 (d) If the applicant is a customer of an energy provider,
2 such applicant shall receive energy assistance in an amount
3 established by the Department for all such applicants under
4 this Act, such amount to be paid by the Department to the
5 energy provider supplying winter energy service to such
6 applicant. Such applicant shall:

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

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

13 (d-5) If a recipient of energy assistance under this Act
14 ceases to receive winter energy service from an energy provider
15 before the end of the winter for which that energy assistance
16 is provided, the energy provider shall credit the remaining
17 unused balance of that recipient's energy assistance to the
18 Local Administering Agency. The Local Administering Agency
19 shall hold those moneys in escrow until the recipient resumes
20 receipt of winter energy service. When the recipient resumes
21 receipt of winter energy service, the Local Administering
22 Agency shall ensure that the escrowed moneys are credited to
23 the recipient's new winter energy service account for the
24 remainder of that winter. The Local Administering Agency may
25 transfer the escrowed moneys to a different Local Administering
26 Agency if the recipient establishes an account for the supply

1 of winter energy service in an area under the jurisdiction of a
2 different Local Administering Agency, and in that case the new
3 Local Administering Agency shall pay the moneys to the energy
4 provider supplying winter energy service to the recipient. If
5 the recipient does not establish another account for the supply
6 of winter energy service during that winter, the original Local
7 Administering Agency may use the escrowed moneys to make energy
8 assistance grants under this Act for the following winter.

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

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

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

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

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