

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 record of an
21 energy provider for ~~winter~~ energy services or an applicant for
22 such 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 (c-1) This subsection shall apply only in cases where: (1)
2 the applicant is not a customer of record of an energy provider
3 because energy services are provided by the owner of the unit
4 as a portion of the rent; (2) the applicant resides in housing
5 subsidized or developed with funds provided under the Rental
6 Housing Support Program Act or under a similar locally funded
7 rent subsidy program, or is the voucher holder who resides in a
8 rental unit within the State of Illinois and whose monthly rent
9 is subsidized by the tenant-based Housing Choice Voucher
10 Program under Section 8 of the U.S. Housing Act of 1937; and
11 (3) the rental expenses for housing are no more than 30% of
12 household income. In such cases, the household may apply for an
13 energy assistance payment under this Act and the owner of the
14 housing unit shall cooperate with the applicant by providing
15 documentation of the energy costs for that unit. Any
16 compensation paid to the energy provider who supplied energy
17 services to the household shall be paid on behalf of the owner
18 of the housing unit providing energy services to the household.
19 The Department shall report annually to the General Assembly on
20 the number of households receiving energy assistance under this
21 subsection and the cost of such assistance. The provisions of
22 this subsection (c-1), other than this sentence, are
23 inoperative after August 31, 2012.

24 (d) If the applicant is a customer of an energy provider,
25 such applicant shall receive energy assistance in an amount
26 established by the Department for all such applicants under

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

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

6 (ii) sign a waiver permitting the Department to receive
7 income information from any public or private agency
8 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 to
13 winter energy services. Any such payments shall be made in
14 accordance with regulations of the Department.

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

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

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

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

26 Section 99. Effective date. This Act takes effect September

1 1, 2009.