

# HB4141



## 103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

**HB4141**

by Rep. Nabeela Syed

### SYNOPSIS AS INTRODUCED:

305 ILCS 20/6

from Ch. 111 2/3, par. 1406

Amends the Energy Assistance Act. In a provision concerning energy assistance payments for qualifying applicants who are not the customer of record of an energy provider, who receive housing assistance under a rent subsidy or housing voucher program, or whose rental expenses for housing are a specified percentage of their household income, removes language making the provision inoperative after August 31, 2012.

LRB103 34085 KTG 63902 b

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  
5 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 Illinois  
10 and whose household income is not greater than an amount  
11 determined annually by the Department, in consultation with  
12 the Policy Advisory Council, may apply for assistance pursuant  
13 to 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 or 60% of the State median income for the  
19 current State fiscal year as established by the U.S.  
20 Department of Health and Human Services; except that for the  
21 period from the effective date of this amendatory Act of the  
22 101st General Assembly through June 30, 2021, the Department  
23 may establish limits not higher than 200% of that poverty

1 level. The Department, in consultation with the Policy  
2 Advisory Council, may adjust the percentage of poverty level  
3 annually in accordance with federal guidelines and based on  
4 funding availability.

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

1 the lowest incomes and that elderly households, households  
2 with children under the age of 6 years old, and households with  
3 persons with disabilities are offered a priority application  
4 period.

5 (c) If the applicant is not a customer of record of an  
6 energy provider for energy services or an applicant for such  
7 service, such applicant shall receive a direct energy  
8 assistance payment in an amount established by the Department  
9 for all such applicants under this Act; provided, however,  
10 that such an applicant must have rental expenses for housing  
11 greater than 30% of household income.

12 (c-1) This subsection shall apply only in cases where: (1)  
13 the applicant is not a customer of record of an energy provider  
14 because energy services are provided by the owner of the unit  
15 as a portion of the rent; (2) the applicant resides in housing  
16 subsidized or developed with funds provided under the Rental  
17 Housing Support Program Act or under a similar locally funded  
18 rent subsidy program, or is the voucher holder who resides in a  
19 rental unit within the State of Illinois and whose monthly  
20 rent is subsidized by the tenant-based Housing Choice Voucher  
21 Program under Section 8 of the U.S. Housing Act of 1937; and  
22 (3) the rental expenses for housing are no more than 30% of  
23 household income. In such cases, the household may apply for  
24 an energy assistance payment under this Act and the owner of  
25 the housing unit shall cooperate with the applicant by  
26 providing documentation of the energy costs for that unit. Any

1 compensation paid to the energy provider who supplied energy  
2 services to the household shall be paid on behalf of the owner  
3 of the housing unit providing energy services to the  
4 household. The Department shall report annually to the General  
5 Assembly on the number of households receiving energy  
6 assistance under this subsection and the cost of such  
7 assistance. ~~The provisions of this subsection (c 1), other~~  
8 ~~than this sentence, are inoperative after August 31, 2012.~~

9 (d) If the applicant is a customer of an energy provider,  
10 such applicant shall receive energy assistance in an amount  
11 established by the Department for all such applicants under  
12 this Act, such amount to be paid by the Department to the  
13 energy provider supplying winter energy service to such  
14 applicant. Such applicant shall:

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

17 (ii) sign a waiver permitting the Department to  
18 receive income information from any public or private  
19 agency providing income or energy assistance and from any  
20 employer, whether public or private.

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

26 (f) The Department may, if sufficient funds are available,

1 provide additional benefits to certain qualified applicants:

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

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

10 (iii) for the installation of energy conservation  
11 measures, health and safety measures, healthy home  
12 measures, home improvement measures to help alleviate  
13 deferrals from weatherization activities, and renewable  
14 energy retrofits.

15 (Source: P.A. 101-636, eff. 6-10-20; 102-16, eff. 6-17-21;  
16 102-176, eff. 6-1-22; 102-699, eff. 4-19-22.)