



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB5350

Introduced 2/9/2024, by Rep. Elizabeth "Lisa" Hernandez

SYNOPSIS AS INTRODUCED:

35 ILCS 200/15-172
305 ILCS 20/6

from Ch. 111 2/3, par. 1406

Amends the Property Tax Code. Provides that the maximum income limitation under the Low-Income Senior Citizens Assessment Freeze Homestead Exemption shall be adjusted each year by the annual cost of living increase, if any, in Social Security and Supplemental Security Income benefits that took effect during the immediately preceding calendar year. Amends the Energy Assistance Act. Provides that eligibility limits under the energy assistance program may not exceed the greater of (1) 150% of the federal nonfarm poverty level as established by the federal Office of Management and Budget or 60% of the State median income for the current State fiscal year as established by the U.S. Department of Health and Human Services, whichever is higher; or (2) the eligibility limit for the immediately preceding calendar year, increased by the annual cost of living increase, if any, in Social Security and Supplemental Security Income benefits that took effect during the immediately preceding calendar year. Effective immediately.

LRB103 37015 HLH 67130 b

1 AN ACT concerning revenue.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Property Tax Code is amended by changing
5 Section 15-172 as follows:

6 (35 ILCS 200/15-172)

7 Sec. 15-172. Low-Income Senior Citizens Assessment Freeze
8 Homestead Exemption.

9 (a) This Section may be cited as the Low-Income Senior
10 Citizens Assessment Freeze Homestead Exemption.

11 (b) As used in this Section:

12 "Applicant" means an individual who has filed an
13 application under this Section.

14 "Base amount" means the base year equalized assessed value
15 of the residence plus the first year's equalized assessed
16 value of any added improvements which increased the assessed
17 value of the residence after the base year.

18 "Base year" means the taxable year prior to the taxable
19 year for which the applicant first qualifies and applies for
20 the exemption provided that in the prior taxable year the
21 property was improved with a permanent structure that was
22 occupied as a residence by the applicant who was liable for
23 paying real property taxes on the property and who was either

1 (i) an owner of record of the property or had legal or
2 equitable interest in the property as evidenced by a written
3 instrument or (ii) had a legal or equitable interest as a
4 lessee in the parcel of property that was single family
5 residence. If in any subsequent taxable year for which the
6 applicant applies and qualifies for the exemption the
7 equalized assessed value of the residence is less than the
8 equalized assessed value in the existing base year (provided
9 that such equalized assessed value is not based on an assessed
10 value that results from a temporary irregularity in the
11 property that reduces the assessed value for one or more
12 taxable years), then that subsequent taxable year shall become
13 the base year until a new base year is established under the
14 terms of this paragraph. For taxable year 1999 only, the Chief
15 County Assessment Officer shall review (i) all taxable years
16 for which the applicant applied and qualified for the
17 exemption and (ii) the existing base year. The assessment
18 officer shall select as the new base year the year with the
19 lowest equalized assessed value. An equalized assessed value
20 that is based on an assessed value that results from a
21 temporary irregularity in the property that reduces the
22 assessed value for one or more taxable years shall not be
23 considered the lowest equalized assessed value. The selected
24 year shall be the base year for taxable year 1999 and
25 thereafter until a new base year is established under the
26 terms of this paragraph.

1 "Chief County Assessment Officer" means the County
2 Assessor or Supervisor of Assessments of the county in which
3 the property is located.

4 "Equalized assessed value" means the assessed value as
5 equalized by the Illinois Department of Revenue.

6 "Household" means the applicant, the spouse of the
7 applicant, and all persons using the residence of the
8 applicant as their principal place of residence.

9 "Household income" means the combined income of the
10 members of a household for the calendar year preceding the
11 taxable year.

12 "Income" has the same meaning as provided in Section 3.07
13 of the Senior Citizens and Persons with Disabilities Property
14 Tax Relief Act, except that, beginning in assessment year
15 2001, "income" does not include veteran's benefits.

16 "Internal Revenue Code of 1986" means the United States
17 Internal Revenue Code of 1986 or any successor law or laws
18 relating to federal income taxes in effect for the year
19 preceding the taxable year.

20 "Life care facility that qualifies as a cooperative" means
21 a facility as defined in Section 2 of the Life Care Facilities
22 Act.

23 "Maximum income limitation" means:

- 24 (1) \$35,000 prior to taxable year 1999;
25 (2) \$40,000 in taxable years 1999 through 2003;
26 (3) \$45,000 in taxable years 2004 through 2005;

- 1 (4) \$50,000 in taxable years 2006 and 2007;
- 2 (5) \$55,000 in taxable years 2008 through 2016;
- 3 (6) for taxable year 2017, (i) \$65,000 for qualified
4 property located in a county with 3,000,000 or more
5 inhabitants and (ii) \$55,000 for qualified property
6 located in a county with fewer than 3,000,000 inhabitants;
7 ~~and~~
- 8 (7) for taxable years 2018 through 2024 ~~and~~
9 ~~thereafter~~, \$65,000 for all qualified property; ~~and~~ -
- 10 (8) for taxable years 2025 and thereafter, the maximum
11 income limitation for the immediately preceding taxable
12 year, increased by the annual cost of living increase, if
13 any, in Social Security and Supplemental Security Income
14 benefits that took effect during the immediately preceding
15 calendar year. On or before February 1 of the taxable year
16 in which the increase in the maximum income limitation
17 under this item (8) takes place, the Department of Revenue
18 shall calculate the new maximum income limitation and
19 publish that amount on its website.

20 As an alternative income valuation, a homeowner who is
21 enrolled in any of the following programs may be presumed to
22 have household income that does not exceed the maximum income
23 limitation for that tax year as required by this Section: Aid
24 to the Aged, Blind or Disabled (AABD) Program or the
25 Supplemental Nutrition Assistance Program (SNAP), both of
26 which are administered by the Department of Human Services;

1 the Low Income Home Energy Assistance Program (LIHEAP), which
2 is administered by the Department of Commerce and Economic
3 Opportunity; The Benefit Access program, which is administered
4 by the Department on Aging; and the Senior Citizens Real
5 Estate Tax Deferral Program.

6 A chief county assessment officer may indicate that he or
7 she has verified an applicant's income eligibility for this
8 exemption but may not report which program or programs, if
9 any, enroll the applicant. Release of personal information
10 submitted pursuant to this Section shall be deemed an
11 unwarranted invasion of personal privacy under the Freedom of
12 Information Act.

13 "Residence" means the principal dwelling place and
14 appurtenant structures used for residential purposes in this
15 State occupied on January 1 of the taxable year by a household
16 and so much of the surrounding land, constituting the parcel
17 upon which the dwelling place is situated, as is used for
18 residential purposes. If the Chief County Assessment Officer
19 has established a specific legal description for a portion of
20 property constituting the residence, then that portion of
21 property shall be deemed the residence for the purposes of
22 this Section.

23 "Taxable year" means the calendar year during which ad
24 valorem property taxes payable in the next succeeding year are
25 levied.

26 (c) Beginning in taxable year 1994, a low-income senior

1 citizens assessment freeze homestead exemption is granted for
2 real property that is improved with a permanent structure that
3 is occupied as a residence by an applicant who (i) is 65 years
4 of age or older during the taxable year, (ii) has a household
5 income that does not exceed the maximum income limitation,
6 (iii) is liable for paying real property taxes on the
7 property, and (iv) is an owner of record of the property or has
8 a legal or equitable interest in the property as evidenced by a
9 written instrument. This homestead exemption shall also apply
10 to a leasehold interest in a parcel of property improved with a
11 permanent structure that is a single family residence that is
12 occupied as a residence by a person who (i) is 65 years of age
13 or older during the taxable year, (ii) has a household income
14 that does not exceed the maximum income limitation, (iii) has
15 a legal or equitable ownership interest in the property as
16 lessee, and (iv) is liable for the payment of real property
17 taxes on that property.

18 In counties of 3,000,000 or more inhabitants, the amount
19 of the exemption for all taxable years is the equalized
20 assessed value of the residence in the taxable year for which
21 application is made minus the base amount. In all other
22 counties, the amount of the exemption is as follows: (i)
23 through taxable year 2005 and for taxable year 2007 and
24 thereafter, the amount of this exemption shall be the
25 equalized assessed value of the residence in the taxable year
26 for which application is made minus the base amount; and (ii)

1 for taxable year 2006, the amount of the exemption is as
2 follows:

3 (1) For an applicant who has a household income of
4 \$45,000 or less, the amount of the exemption is the
5 equalized assessed value of the residence in the taxable
6 year for which application is made minus the base amount.

7 (2) For an applicant who has a household income
8 exceeding \$45,000 but not exceeding \$46,250, the amount of
9 the exemption is (i) the equalized assessed value of the
10 residence in the taxable year for which application is
11 made minus the base amount (ii) multiplied by 0.8.

12 (3) For an applicant who has a household income
13 exceeding \$46,250 but not exceeding \$47,500, the amount of
14 the exemption is (i) the equalized assessed value of the
15 residence in the taxable year for which application is
16 made minus the base amount (ii) multiplied by 0.6.

17 (4) For an applicant who has a household income
18 exceeding \$47,500 but not exceeding \$48,750, the amount of
19 the exemption is (i) the equalized assessed value of the
20 residence in the taxable year for which application is
21 made minus the base amount (ii) multiplied by 0.4.

22 (5) For an applicant who has a household income
23 exceeding \$48,750 but not exceeding \$50,000, the amount of
24 the exemption is (i) the equalized assessed value of the
25 residence in the taxable year for which application is
26 made minus the base amount (ii) multiplied by 0.2.

1 When the applicant is a surviving spouse of an applicant
2 for a prior year for the same residence for which an exemption
3 under this Section has been granted, the base year and base
4 amount for that residence are the same as for the applicant for
5 the prior year.

6 Each year at the time the assessment books are certified
7 to the County Clerk, the Board of Review or Board of Appeals
8 shall give to the County Clerk a list of the assessed values of
9 improvements on each parcel qualifying for this exemption that
10 were added after the base year for this parcel and that
11 increased the assessed value of the property.

12 In the case of land improved with an apartment building
13 owned and operated as a cooperative or a building that is a
14 life care facility that qualifies as a cooperative, the
15 maximum reduction from the equalized assessed value of the
16 property is limited to the sum of the reductions calculated
17 for each unit occupied as a residence by a person or persons
18 (i) 65 years of age or older, (ii) with a household income that
19 does not exceed the maximum income limitation, (iii) who is
20 liable, by contract with the owner or owners of record, for
21 paying real property taxes on the property, and (iv) who is an
22 owner of record of a legal or equitable interest in the
23 cooperative apartment building, other than a leasehold
24 interest. In the instance of a cooperative where a homestead
25 exemption has been granted under this Section, the cooperative
26 association or its management firm shall credit the savings

1 resulting from that exemption only to the apportioned tax
2 liability of the owner who qualified for the exemption. Any
3 person who willfully refuses to credit that savings to an
4 owner who qualifies for the exemption is guilty of a Class B
5 misdemeanor.

6 When a homestead exemption has been granted under this
7 Section and an applicant then becomes a resident of a facility
8 licensed under the Assisted Living and Shared Housing Act, the
9 Nursing Home Care Act, the Specialized Mental Health
10 Rehabilitation Act of 2013, the ID/DD Community Care Act, or
11 the MC/DD Act, the exemption shall be granted in subsequent
12 years so long as the residence (i) continues to be occupied by
13 the qualified applicant's spouse or (ii) if remaining
14 unoccupied, is still owned by the qualified applicant for the
15 homestead exemption.

16 Beginning January 1, 1997, when an individual dies who
17 would have qualified for an exemption under this Section, and
18 the surviving spouse does not independently qualify for this
19 exemption because of age, the exemption under this Section
20 shall be granted to the surviving spouse for the taxable year
21 preceding and the taxable year of the death, provided that,
22 except for age, the surviving spouse meets all other
23 qualifications for the granting of this exemption for those
24 years.

25 When married persons maintain separate residences, the
26 exemption provided for in this Section may be claimed by only

1 one of such persons and for only one residence.

2 For taxable year 1994 only, in counties having less than
3 3,000,000 inhabitants, to receive the exemption, a person
4 shall submit an application by February 15, 1995 to the Chief
5 County Assessment Officer of the county in which the property
6 is located. In counties having 3,000,000 or more inhabitants,
7 for taxable year 1994 and all subsequent taxable years, to
8 receive the exemption, a person may submit an application to
9 the Chief County Assessment Officer of the county in which the
10 property is located during such period as may be specified by
11 the Chief County Assessment Officer. The Chief County
12 Assessment Officer in counties of 3,000,000 or more
13 inhabitants shall annually give notice of the application
14 period by mail or by publication. In counties having less than
15 3,000,000 inhabitants, beginning with taxable year 1995 and
16 thereafter, to receive the exemption, a person shall submit an
17 application by July 1 of each taxable year to the Chief County
18 Assessment Officer of the county in which the property is
19 located. A county may, by ordinance, establish a date for
20 submission of applications that is different than July 1. The
21 applicant shall submit with the application an affidavit of
22 the applicant's total household income, age, marital status
23 (and if married the name and address of the applicant's
24 spouse, if known), and principal dwelling place of members of
25 the household on January 1 of the taxable year. The Department
26 shall establish, by rule, a method for verifying the accuracy

1 of affidavits filed by applicants under this Section, and the
2 Chief County Assessment Officer may conduct audits of any
3 taxpayer claiming an exemption under this Section to verify
4 that the taxpayer is eligible to receive the exemption. Each
5 application shall contain or be verified by a written
6 declaration that it is made under the penalties of perjury. A
7 taxpayer's signing a fraudulent application under this Act is
8 perjury, as defined in Section 32-2 of the Criminal Code of
9 2012. The applications shall be clearly marked as applications
10 for the Low-Income Senior Citizens Assessment Freeze Homestead
11 Exemption and must contain a notice that any taxpayer who
12 receives the exemption is subject to an audit by the Chief
13 County Assessment Officer.

14 Notwithstanding any other provision to the contrary, in
15 counties having fewer than 3,000,000 inhabitants, if an
16 applicant fails to file the application required by this
17 Section in a timely manner and this failure to file is due to a
18 mental or physical condition sufficiently severe so as to
19 render the applicant incapable of filing the application in a
20 timely manner, the Chief County Assessment Officer may extend
21 the filing deadline for a period of 30 days after the applicant
22 regains the capability to file the application, but in no case
23 may the filing deadline be extended beyond 3 months of the
24 original filing deadline. In order to receive the extension
25 provided in this paragraph, the applicant shall provide the
26 Chief County Assessment Officer with a signed statement from

1 the applicant's physician, advanced practice registered nurse,
2 or physician assistant stating the nature and extent of the
3 condition, that, in the physician's, advanced practice
4 registered nurse's, or physician assistant's opinion, the
5 condition was so severe that it rendered the applicant
6 incapable of filing the application in a timely manner, and
7 the date on which the applicant regained the capability to
8 file the application.

9 Beginning January 1, 1998, notwithstanding any other
10 provision to the contrary, in counties having fewer than
11 3,000,000 inhabitants, if an applicant fails to file the
12 application required by this Section in a timely manner and
13 this failure to file is due to a mental or physical condition
14 sufficiently severe so as to render the applicant incapable of
15 filing the application in a timely manner, the Chief County
16 Assessment Officer may extend the filing deadline for a period
17 of 3 months. In order to receive the extension provided in this
18 paragraph, the applicant shall provide the Chief County
19 Assessment Officer with a signed statement from the
20 applicant's physician, advanced practice registered nurse, or
21 physician assistant stating the nature and extent of the
22 condition, and that, in the physician's, advanced practice
23 registered nurse's, or physician assistant's opinion, the
24 condition was so severe that it rendered the applicant
25 incapable of filing the application in a timely manner.

26 In counties having less than 3,000,000 inhabitants, if an

1 applicant was denied an exemption in taxable year 1994 and the
2 denial occurred due to an error on the part of an assessment
3 official, or his or her agent or employee, then beginning in
4 taxable year 1997 the applicant's base year, for purposes of
5 determining the amount of the exemption, shall be 1993 rather
6 than 1994. In addition, in taxable year 1997, the applicant's
7 exemption shall also include an amount equal to (i) the amount
8 of any exemption denied to the applicant in taxable year 1995
9 as a result of using 1994, rather than 1993, as the base year,
10 (ii) the amount of any exemption denied to the applicant in
11 taxable year 1996 as a result of using 1994, rather than 1993,
12 as the base year, and (iii) the amount of the exemption
13 erroneously denied for taxable year 1994.

14 For purposes of this Section, a person who will be 65 years
15 of age during the current taxable year shall be eligible to
16 apply for the homestead exemption during that taxable year.
17 Application shall be made during the application period in
18 effect for the county of his or her residence.

19 The Chief County Assessment Officer may determine the
20 eligibility of a life care facility that qualifies as a
21 cooperative to receive the benefits provided by this Section
22 by use of an affidavit, application, visual inspection,
23 questionnaire, or other reasonable method in order to insure
24 that the tax savings resulting from the exemption are credited
25 by the management firm to the apportioned tax liability of
26 each qualifying resident. The Chief County Assessment Officer

1 may request reasonable proof that the management firm has so
2 credited that exemption.

3 Except as provided in this Section, all information
4 received by the chief county assessment officer or the
5 Department from applications filed under this Section, or from
6 any investigation conducted under the provisions of this
7 Section, shall be confidential, except for official purposes
8 or pursuant to official procedures for collection of any State
9 or local tax or enforcement of any civil or criminal penalty or
10 sanction imposed by this Act or by any statute or ordinance
11 imposing a State or local tax. Any person who divulges any such
12 information in any manner, except in accordance with a proper
13 judicial order, is guilty of a Class A misdemeanor.

14 Nothing contained in this Section shall prevent the
15 Director or chief county assessment officer from publishing or
16 making available reasonable statistics concerning the
17 operation of the exemption contained in this Section in which
18 the contents of claims are grouped into aggregates in such a
19 way that information contained in any individual claim shall
20 not be disclosed.

21 Notwithstanding any other provision of law, for taxable
22 year 2017 and thereafter, in counties of 3,000,000 or more
23 inhabitants, the amount of the exemption shall be the greater
24 of (i) the amount of the exemption otherwise calculated under
25 this Section or (ii) \$2,000.

26 (c-5) Notwithstanding any other provision of law, each

1 chief county assessment officer may approve this exemption for
2 the 2020 taxable year, without application, for any property
3 that was approved for this exemption for the 2019 taxable
4 year, provided that:

5 (1) the county board has declared a local disaster as
6 provided in the Illinois Emergency Management Agency Act
7 related to the COVID-19 public health emergency;

8 (2) the owner of record of the property as of January
9 1, 2020 is the same as the owner of record of the property
10 as of January 1, 2019;

11 (3) the exemption for the 2019 taxable year has not
12 been determined to be an erroneous exemption as defined by
13 this Code; and

14 (4) the applicant for the 2019 taxable year has not
15 asked for the exemption to be removed for the 2019 or 2020
16 taxable years.

17 Nothing in this subsection shall preclude or impair the
18 authority of a chief county assessment officer to conduct
19 audits of any taxpayer claiming an exemption under this
20 Section to verify that the taxpayer is eligible to receive the
21 exemption as provided elsewhere in this Section.

22 (c-10) Notwithstanding any other provision of law, each
23 chief county assessment officer may approve this exemption for
24 the 2021 taxable year, without application, for any property
25 that was approved for this exemption for the 2020 taxable
26 year, if:

1 (1) the county board has declared a local disaster as
2 provided in the Illinois Emergency Management Agency Act
3 related to the COVID-19 public health emergency;

4 (2) the owner of record of the property as of January
5 1, 2021 is the same as the owner of record of the property
6 as of January 1, 2020;

7 (3) the exemption for the 2020 taxable year has not
8 been determined to be an erroneous exemption as defined by
9 this Code; and

10 (4) the taxpayer for the 2020 taxable year has not
11 asked for the exemption to be removed for the 2020 or 2021
12 taxable years.

13 Nothing in this subsection shall preclude or impair the
14 authority of a chief county assessment officer to conduct
15 audits of any taxpayer claiming an exemption under this
16 Section to verify that the taxpayer is eligible to receive the
17 exemption as provided elsewhere in this Section.

18 (d) Each Chief County Assessment Officer shall annually
19 publish a notice of availability of the exemption provided
20 under this Section. The notice shall be published at least 60
21 days but no more than 75 days prior to the date on which the
22 application must be submitted to the Chief County Assessment
23 Officer of the county in which the property is located. The
24 notice shall appear in a newspaper of general circulation in
25 the county.

26 Notwithstanding Sections 6 and 8 of the State Mandates

1 Act, no reimbursement by the State is required for the
2 implementation of any mandate created by this Section.

3 (Source: P.A. 101-635, eff. 6-5-20; 102-136, eff. 7-23-21;
4 102-895, eff. 5-23-22.)

5 Section 10. The Energy Assistance Act is amended by
6 changing Section 6 as follows:

7 (305 ILCS 20/6) (from Ch. 111 2/3, par. 1406)

8 Sec. 6. Eligibility, conditions of participation, and
9 energy assistance.

10 (a) Any person who is a resident of the State of Illinois
11 and whose household income is not greater than an amount
12 determined annually by the Department, in consultation with
13 the Policy Advisory Council, may apply for assistance pursuant
14 to this Act in accordance with regulations promulgated by the
15 Department. In setting the annual eligibility level, the
16 Department shall consider the amount of available funding. For
17 calendar years beginning before January 1, 2025, the
18 Department ~~and~~ may not set an eligibility ~~a~~ limit higher than
19 150% of the federal nonfarm poverty level as established by
20 the federal Office of Management and Budget or 60% of the State
21 median income for the current State fiscal year as established
22 by the U.S. Department of Health and Human Services; except
23 that for the period from the effective date of this amendatory
24 Act of the 101st General Assembly through June 30, 2021, the

1 Department may establish limits not higher than 200% of that
2 poverty level. For calendar years beginning on or after
3 January 1, 2025, the Department may not set eligibility limits
4 that are higher than the greater of:

5 (1) 150% of the federal nonfarm poverty level as
6 established by the federal Office of Management and Budget
7 or 60% of the State median income for the current State
8 fiscal year as established by the U.S. Department of
9 Health and Human Services, whichever is higher; or

10 (2) the eligibility limit for the immediately
11 preceding calendar year, increased by the annual cost of
12 living increase, if any, in Social Security and
13 Supplemental Security Income benefits that took effect
14 during the immediately preceding calendar year.

15 The Department, in consultation with the Policy Advisory
16 Council, may adjust the percentage of poverty level annually
17 in accordance with federal guidelines and based on funding
18 availability.

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

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

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

26 (c-1) This subsection shall apply only in cases where: (1)

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

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

1 energy provider supplying winter energy service to such
2 applicant. Such applicant shall:

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

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

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
12 to 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;

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; and

24 (iii) for the installation of energy conservation
25 measures, health and safety measures, healthy home
26 measures, home improvement measures to help alleviate

1 deferrals from weatherization activities, and renewable
2 energy retrofits.

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

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.