

1 AN ACT in relation to assistance for low-income persons.

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 of 1989 is amended
5 by 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
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
14 promulgated by the Department. In setting the annual
15 eligibility level, the Department shall consider the amount
16 of available funding and may not set a limit higher than the
17 household income level established pursuant to 42 U.S.C.
18 8624(b)(2)(B). In the event that 42 U.S.C. 8624(b)(2)(B)
19 authorizes more than one maximum household income level, the
20 Department may set the eligibility level at the level that
21 results in the largest number of persons eligible for
22 assistance. 150%--of--the--federal--nonfarm-poverty-level-as
23 established-by-the-federal-Office-of-Management-and-Budget.

24 (b) Applicants who qualify for assistance pursuant to
25 subsection (a) of this Section shall, subject to
26 appropriation from the General Assembly and subject to
27 availability of funds to the Department, receive energy
28 assistance as provided by this Act. The Department, upon
29 receipt of monies authorized pursuant to this Act for energy
30 assistance, shall commit funds for each qualified applicant
31 in an amount determined by the Department. In determining

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

19 (c) If the applicant is not a customer of an energy
20 provider for winter 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 (d) If the applicant is a customer of an energy
27 provider, such applicant shall receive energy assistance in
28 an amount established by the Department for all such
29 applicants under this Act, such amount to be paid by the
30 Department to the energy provider supplying winter energy
31 service to such applicant. Such applicant shall:

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

34 (ii) sign a waiver permitting the Department to

1 receive income information from any public or private
2 agency providing income or energy assistance and from any
3 employer, whether public or private.

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

9 (Source: P.A. 91-936, eff. 1-10-01.)

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.