



1 8624(b)(2)(B). In the event that 42 U.S.C. 8624(b)(2)(B)  
2 authorizes more than one maximum household income level, the  
3 Department may set the eligibility level at the level that  
4 results in the largest number of persons eligible for  
5 assistance. 150%--of--the--federal--nonfarm-poverty-level-as  
6 established-by-the-federal-Office-of-Management-and-Budget.

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

33 (c) If the applicant is not a customer of an energy  
34 provider for winter energy services or an applicant for such

1 service, such applicant shall receive a direct energy  
2 assistance payment in an amount established by the Department  
3 for all such applicants under this Act; provided, however,  
4 that such an applicant must have rental expenses for housing  
5 greater than 30% of household income.

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

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

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

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

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

24 Section 99. Effective date. This Act takes effect upon  
25 becoming law."