

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 156 Session of 2009

INTRODUCED BY TOMLINSON, GREENLEAF, BOSCOLA, TARTAGLIONE, ORIE,
ERICKSON, WONDERLING, PIPPY, BROWNE, RAFFERTY, FONTANA,
FERLO, COSTA, STACK, LOGAN, MUSTO, WILLIAMS AND FARNESE,
JANUARY 30, 2009

REFERRED TO ENVIRONMENTAL RESOURCES AND ENERGY, JANUARY 30, 2009

AN ACT

1 Providing for home energy assistance to certain persons through
2 payment of matching funds to the hardship funds of certain
3 home energy providers and for powers and duties of the
4 Department of Public Welfare.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Short title.

8 This act shall be known and may be cited as the Home Energy
9 Assistance Act.

10 Section 2. Declaration of policy.

11 The General Assembly finds and declares as follows:

12 (1) The Federal Government recognized the importance of
13 aiding low-income families with heating their homes when it
14 created the Low-Income Home Energy Assistance Program in
15 1981.

16 (2) Other states have recognized the need to supplement
17 these Federal funds for home energy assistance with state
18 funds.

1 (3) The Commonwealth recognizes the importance of
2 allocating State funds to aid families struggling with
3 heating costs that do not fall within the guidelines of the
4 Federal program.

5 (4) Heating oil and propane gas companies and public
6 utilities that provide electricity and natural gas also
7 recognize the need to contribute funds for home energy
8 assistance by their establishment of hardship funds.

9 Section 3. Definitions.

10 The following words and phrases when used in this act shall
11 have the meanings given to them in this section unless the
12 context clearly indicates otherwise:

13 "Average monthly degree day." The average daily temperature
14 for a given month.

15 "Department." The Department of Public Welfare of the
16 Commonwealth.

17 "Eligible ratepayer." A ratepayer whose payment to a home
18 energy provider for service is delinquent or has otherwise
19 extenuating circumstances and whose income falls between 151%
20 and 200% of the Federal poverty guidelines as reported by the
21 United States Department of Health and Human Services.

22 "Hardship fund." Funds established by a home energy provider
23 to provide cash assistance to those ratepayers who have
24 exhausted all other resources for payment of electricity,
25 heating oil, natural gas or propane gas bills.

26 "Heating season." The months of November, December, January,
27 February and March, consecutively.

28 "Home energy provider." A heating oil or propane gas company
29 or a public utility that provides electricity or natural gas to
30 ratepayers in this Commonwealth.

1 "Ratepayer." A person in whose name a residential service
2 account is listed with a home energy provider and who is
3 primarily responsible for payment of a bill rendered for
4 service.

5 Section 4. Matching funds.

6 (a) Commonwealth share.--The department shall provide
7 matching funds based upon the amount contributed by the
8 stockholders, employees and ratepayers of home energy providers
9 to their hardship funds as contained in the most recent data
10 reported to the Pennsylvania Public Utility Commission or
11 obtained otherwise.

12 (b) Distribution.--The department shall only distribute
13 matching funds when the Statewide average monthly degree days in
14 a heating season are 10% colder than the Statewide average
15 monthly degree days for a heating season for the previous ten
16 years as reported by the National Weather Service or obtained
17 otherwise.

18 Section 5. Application procedure.

19 (a) Time for filing.--A home energy provider may apply for
20 matching funds and must notify the department of its intent to
21 do so during the period of January 1 to February 1.

22 (b) Contents of application.--The application shall be in
23 such form as prescribed by the department and shall contain:

24 (1) The amount to be credited to the home energy
25 provider into its hardship fund.

26 (2) Identification of a nonprofit entity that has agreed
27 to evaluate the financial condition of ratepayers, with their
28 consent, in order to assist the home energy provider with its
29 determination of whether the ratepayers should receive credit
30 through the hardship fund.

1 (3) Such other information as required by the
2 department.

3 Section 6. Distribution.

4 Moneys appropriated to the department for purposes of section
5 4 shall, upon certification by the department of qualified funds
6 in a home energy provider's hardship fund, remit the matching
7 funds to the home energy provider no later than April 1.

8 Section 7. Rules and regulations.

9 The department may promulgate any rules and regulations it
10 determines necessary for the administration of this act.

11 Section 20. Effective date.

12 This act shall take effect in 60 days.