

ASSEMBLY BILL NO. 111—ASSEMBLYMAN THOMPSON

PREFILED FEBRUARY 7, 2017

Referred to Committee on Health and Human Services

SUMMARY—Authorizes the Division of Welfare and Supportive Services of the Department of Health and Human Services to use money in the Fund for Energy Assistance and Conservation to assist certain low-income households in paying for Internet service. (BDR 58-641)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to energy assistance; authorizing the Division of Welfare and Supportive Services of the Department of Health and Human Services to use money in the Fund for Energy Assistance and Conservation to assist certain low-income households in paying for Internet service; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law requires certain customers of an electric or gas utility to pay a
2 universal energy charge of 3.30 mills on each therm of natural gas purchased for
3 consumption in this State and 0.39 mills on each kilowatt-hour of electricity
4 purchased for consumption in this State. (NRS 702.160) Under existing law, the
5 Public Utilities Commission of Nevada collects the universal energy charge and,
6 after deducting its administrative charge, deposits the remaining money collected
7 for the universal energy charge in the Fund for Energy Assistance and
8 Conservation. (NRS 702.160, 702.170, 702.250) Existing law requires 75 percent
9 of the money in the Fund to be distributed to the Division of Welfare and
10 Supportive Services of the Department of Health and Human Services for programs
11 to assist certain low-income households in paying for natural gas and electricity.
12 (NRS 702.260) The remaining 25 percent of the money in the Fund must be
13 distributed to the Housing Division of the Department of Business and Industry for
14 programs of energy conservation, weatherization and energy efficiency for certain
15 low-income households. (NRS 702.270) **Section 2** of this bill authorizes the
16 Division of Welfare and Supportive Services to use money from the Fund
17 distributed to the Division to pay for programs to assist certain low-income
18 households in paying for Internet service.



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19 Existing law provides that certain persons who are exempt from paying the
20 universal energy charge are not eligible to receive assistance from the Division of
21 Welfare and Supportive Services for utility service or from the Housing Division
22 for energy conservation, weatherization or energy efficiency. **Section 1** of this bill
23 specifies that a person who is exempt from paying the universal energy charge is
24 not eligible to receive assistance from the Division of Welfare and Supportive
25 Services in paying for Internet service.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 702.150 is hereby amended to read as follows:

2 702.150 1. The provisions of NRS 702.160 do not apply to
3 any therm of natural gas or any kilowatt-hour of electricity that a
4 retail customer purchases from:

5 (a) A rural electric cooperative established pursuant to chapter
6 81 of NRS.

7 (b) A general improvement district established pursuant to
8 chapter 318 of NRS.

9 (c) A cooperative association, nonprofit corporation, nonprofit
10 association or provider of service which is declared to be a public
11 utility pursuant to NRS 704.673 and which provides service only to
12 its members.

13 2. If a retail customer is exempted from paying the universal
14 energy charge pursuant to subsection 1, the retail customer may not
15 receive money or other assistance from:

16 (a) The Division of Welfare and Supportive Services pursuant to
17 NRS 702.260 for ~~any~~ :

18 (1) *Any* utility service for which the retail customer is
19 exempted from paying the universal energy charge; or

20 (2) *Internet service; or*

21 (b) The Housing Division pursuant to NRS 702.270.

22 **Sec. 2.** NRS 702.260 is hereby amended to read as follows:

23 702.260 1. Seventy-five percent of the money in the Fund
24 must be distributed to the Division of Welfare and Supportive
25 Services for programs to assist eligible households in paying for
26 natural gas , ~~and~~ electricity ~~+~~ *and Internet service*. The Division
27 may use not more than 5 percent of the money distributed to it
28 pursuant to this section for its administrative expenses.

29 2. Except as otherwise provided in NRS 702.150, after
30 deduction for its administrative expenses, the Division may use the
31 money distributed to it pursuant to this section only to:

32 (a) Assist eligible households in paying for natural gas , ~~and~~
33 electricity ~~+~~ *and Internet service*.

34 (b) Carry out activities related to consumer outreach.



1 (c) Pay for program design.

2 (d) Pay for the annual evaluations conducted pursuant to
3 NRS 702.280.

4 3. Except as otherwise provided in subsection 4, to be eligible
5 to receive assistance from the Division pursuant to this section, a
6 household must have a household income that is not more than 150
7 percent of the federally designated level signifying poverty, as
8 determined by the Division.

9 4. The Division is authorized to render emergency assistance to
10 a household if an emergency related to the cost or availability of
11 natural gas , ~~and~~ electricity *or Internet service* threatens the health
12 or safety of one or more of the members of the household. Such
13 emergency assistance may be rendered upon the good faith belief
14 that the household is otherwise eligible to receive assistance
15 pursuant to this section.

16 5. Before July 1, 2002, if a household is eligible to receive
17 assistance pursuant to this section, the Division shall determine the
18 amount of assistance that the household will receive by using the
19 existing formulas set forth in the state plan for low-income home
20 energy assistance.

21 6. On or after July 1, 2002, if a household is eligible to receive
22 assistance pursuant to this section, the Division:

23 (a) Shall, to the extent practicable, determine the amount of
24 assistance that the household will receive by determining the
25 amount of assistance that is sufficient to reduce the percentage of
26 the household's income that is spent on natural gas , ~~and~~ electricity
27 *and Internet service* to the median percentage of household income
28 spent on natural gas , ~~and~~ electricity *and Internet service*
29 statewide.

30 (b) May adjust the amount of assistance that the household will
31 receive based upon such factors as:

32 (1) The income of the household;

33 (2) The size of the household;

34 (3) The type of energy *or Internet service* that the household
35 uses; and

36 (4) Any other factor which, in the determination of the
37 Division, may make the household particularly vulnerable to
38 increases in the cost of natural gas , ~~and~~ electricity ~~and~~ *or Internet*
39 *service*.

40 7. The Division shall adopt regulations to carry out and enforce
41 the provisions of this section and NRS 702.250.

42 8. In carrying out the provisions of this section, the Division
43 shall:

44 (a) Solicit advice from the Housing Division and from other
45 knowledgeable persons;



1 (b) Identify and implement appropriate delivery systems to
2 distribute money from the Fund and to provide other assistance
3 pursuant to this section;

4 (c) Coordinate with other federal, state and local agencies that
5 provide energy assistance or conservation services to low-income
6 persons and, to the extent allowed by federal law and to the extent
7 practicable, use the same simplified application forms as those other
8 agencies;

9 (d) Establish a process for evaluating the programs conducted
10 pursuant to this section;

11 (e) Develop a process for making changes to such programs; and

12 (f) Engage in annual planning and evaluation processes with the
13 Housing Division as required by NRS 702.280.

14 9. For the purposes of this section, "eligible household"
15 includes, without limitation:

16 (a) A tenant of a manufactured home park or mobile home park
17 subject to the provisions of NRS 704.905 to 704.960, inclusive; and

18 (b) A tenant who purchases electricity from a landlord as
19 described in paragraph (c) of subsection 2 of NRS 702.090 based on
20 the actual usage of electricity by the tenant.

21 **Sec. 3.** This act becomes effective on July 1, 2017.

