

2018 -- S 2334

=====
LC004710
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

—————
A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- LOW-INCOME ENERGY COST ASSISTANCE

Introduced By: Senators Ciccone, Jabour, Miller, Archambault, and Goldin

Date Introduced: February 15, 2018

Referred To: Senate Commerce

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 42 of the General Laws entitled "STATE AFFAIRS AND
2 GOVERNMENT" is hereby amended by adding thereto the following chapter:

3 CHAPTER 140.5

4 THE PERCENTAGE OF INCOME ENERGY COST PAYMENT PLAN

5 **42-140.5-1. Short title.**

6 This act shall be known and may be cited as "The Percentage of Income Energy Cost
7 Payment Plan."

8 **42-140.5-2. Administration of plan.**

9 There is hereby created within the governor's office of energy assistance a program to be
10 known as the "percentage of income energy cost payment plan" for the purpose of providing
11 financial assistance to low-income households.

12 **42-140.5-3. Eligibility.**

13 Households with incomes of one hundred fifty percent (150%) of the federal poverty
14 guideline, or less, that are receiving assistance through the Federal Low Income Household
15 Energy Assistance Program (LIHEAP) shall be eligible to participate in the three (3) year pilot
16 program. Any household that has been terminated from the pilot program shall be ineligible to
17 reapply for the pilot program.

18 (1) Obligations of participants. Participating households shall agree to the following

1 obligations in order to be admitted to participate in the pilot program:

2 (i) That the household shall report, within ten (10) business days, changes in income or
3 financial condition that affect the household's eligibility for energy assistance or its need for
4 energy assistance to the household's eligibility administrator;

5 (ii) That the household shall pay four percent (4%) of its total annual gross household
6 income for the cost of heating, and two percent (2%) non-heat electric costs which payments shall
7 be apportioned and paid on a monthly basis consistent with the income of the household during
8 the month;

9 (iii) That the household shall pay in addition to the payments set forth above ten dollars
10 (\$10.00) toward any outstanding arrearages or bills for gas, electricity, or heating oil that were
11 outstanding as of November 1, 2018;

12 (iv) That the household shall pay from resources available to it any overage above its
13 annual heating budget, with amendments, if any; and

14 (v) That household's participation in the pilot program shall be terminated if the
15 household fails to make three (3) or more consecutive monthly payments for heating as
16 established in subsections (1)(ii) and (1)(iii) of this section, unless the household has reported a
17 change in income or financial status in accordance with subsection (1)(i) of this section and has
18 been determined eligible for emergency assistance as provided for in this section and that upon
19 termination from the program any and all arrearages and/or past due bills that are outstanding at
20 the time of termination from the program shall be due and payable according to law and/or
21 regulation. Readmittance would require the arrearage to be paid and assignment to any waiting
22 list.

23 **42-140.5-4. Arrearage.**

24 A household establishing three (3) years of regular monthly payments under this chapter
25 shall not be required to pay any arrearage remaining at the end of the three (3) year period.

26 **42-140.5-5. Usage limit.**

27 The energy office shall establish maximum usage limits based on household size. Energy
28 usage exceeding the limits shall be billed to the household at the prevailing consumer rate.
29 Conservation shall be rewarded with a reduction in the payment percentage required.

30 **42-140.5-6. Initial offering.**

31 The initial number of households admitted to this program shall be thirty thousand
32 (30,000). Households shall be admitted and reevaluated annually. Initial admittance shall be on a
33 first come first serve basis.

34 **42-140.5-7. Sources of funding.**

1 The state shall establish a restricted receipt account for the purposes of implementing and
2 funding the plan, which shall include, but not be limited to, paying for administrative expenses
3 associated with enforcing the plan and offsetting losses incurred by energy suppliers and
4 providers pursuant to the plan. The fund shall be maintained and administered by the governor's
5 office of energy resources. Sources for the fund shall include, but not be limited to, the following:
6 (1) A one percent (1%) surcharge to be assessed on all wholesale oil prices;
7 (2) Two million dollars (\$2,000,000) each year for three (3) successive years
8 commencing on July 1, 2015, from National Grid settlement funds;
9 (3) Funds obtained through the Federal LIHEAP; and
10 (4) Equalized gross receipts tax paid by gas and electric. The general assembly shall
11 determine the amounts to be appropriated annually pursuant to subsections (3) and (4) of this
12 section.

13 SECTION 2. This act shall take effect upon passage.

=====
LC004710
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- LOW-INCOME ENERGY COST
ASSISTANCE

1 This act would create the "percentage of income energy cost payment plan" for the
2 purpose of providing financial assistance to low-income families, to be administered by the
3 governor's energy office.

4 This act would take effect upon passage.

=====
LC004710
=====