

SENATE BILL No. 1135

May 22, 2012, Introduced by Senators CASWELL and NOFS and referred to the Committee on Energy and Technology.

A bill to provide energy assistance for low-income households; and to prescribe certain powers and duties of certain state departments and agencies.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "Michigan energy assistance act".

3 Sec. 2. As used in this act:

4 (a) "Crisis" means 1 of the following:

5 (i) An individual or recipient has received a past due notice
6 on an energy bill for his or her household.

7 (ii) A residential fuel tank is estimated to contain not more
8 than 25% of its heating fuel capacity.

9 (iii) A stated need for deliverable fuel.

10 (iv) A notice that the balance in a prepayment account is below

1 a minimum amount.

2 (b) "Department" means the department of human services.

3 (c) "Eligible low-income household" means a household with a
4 household income of not more than 150% of the federal poverty
5 guidelines.

6 (d) "Energy assistance" means a government program to help an
7 eligible low-income household pay home heating and cooling bills.

8 (e) "Federal poverty guidelines" means the poverty guidelines
9 published annually in the federal register by the United States
10 department of health and human services under its authority to
11 revise the poverty line under section 673(2) of subtitle B of title
12 VI of the omnibus budget reconciliation act of 1981, 42 USC 9902.

13 (f) "Funds" means money received from the federal low income
14 home energy assistance program block grant that is not used for the
15 home heating credit, money received from the low-income energy
16 assistance fund created in section 9t of 1939 PA 3, MCL 460.9t, or
17 any other money appropriated for this program.

18 (g) "Program" means the Michigan energy assistance program
19 established in section 3.

20 Sec. 3. (1) Not later than October 1, 2012, the department
21 shall establish and administer the Michigan energy assistance
22 program statewide to provide energy assistance to eligible low-
23 income households.

24 (2) The department may use funds received from a federal
25 energy assistance program and any funds collected or appropriated
26 to fund the program.

27 (3) The program must include services that will enable

1 participants to become or move toward becoming energy self-
2 sufficient. By October 1, 2014, each entity that contracts with the
3 department under this section shall provide these services. The
4 department shall attempt to coordinate efforts to assist in
5 achieving energy self-sufficiency through the program with efforts
6 to assist in achieving self-sufficiency through the department's or
7 other state department's housing assistance program.

8 (4) The department shall develop a simplified, single
9 application for all applicants to use to apply for energy
10 assistance under the program. The single application shall be made
11 available to all entities that contract with the department to
12 provide services under the program.

13 Sec. 4. (1) The department shall not use money from the low-
14 income energy assistance fund created in section 9t of 1939 PA 3,
15 MCL 460.9t, for weatherization or self-sufficiency services in the
16 program.

17 (2) Money from the low-income energy assistance fund created
18 in section 9t of 1939 PA 3, MCL 460.9t, may be used for the
19 program's crisis season in the Lower Peninsula, which begins on
20 November 1 and ends May 31 each year. The Upper Peninsula does not
21 have a crisis season under the program. Not more than 30% of the
22 funds received for the program shall be spent outside of the crisis
23 season in the Lower Peninsula. The department shall implement the
24 provisions of this subsection and may do so over a 2-year period.

25 Sec. 5. (1) The department, in consultation with the Michigan
26 public service commission, may contract with different public or
27 private entities or local units of government to provide energy

1 assistance to eligible low-income households.

2 (2) The department shall include clear performance metrics in
3 any contract with an entity under this section.

4 (3) Except as provided in this subsection, an entity with
5 which the department contracts under subsection (1) shall use not
6 less than 92% of the funds received from the department for energy
7 assistance. An entity with which the department contracts under
8 subsection (1) may, upon approval from the department, use less
9 than 92% but not less than 90% of the funds received for the
10 program for energy assistance.

11 Sec. 6. This act does not apply after September 30, 2016.