

**WORKING DRAFT**

HOUSE BILL NO. \_\_\_\_\_

Low income home energy assistance program.

Sponsored by: Representative(s) Hammons

A BILL

for

1 AN ACT relating to public assistance; establishing a state  
2 component of the federal low income home energy assistance  
3 program; specifying requirements of the program; providing  
4 an appropriation; providing for implementation; and  
5 providing for an effective date.

6

7 *Be It Enacted by the Legislature of the State of Wyoming:*

8

9 **Section 1.** W.S. 42-2-501 is created to read:

10

11 **42-2-501. Low income home energy assistance program;**  
12 **funding.**

13

14 (a) The department shall administer a low income home  
15 energy assistance program in accordance with federal public

1 law 97-35, as amended. The department shall submit and  
2 keep current a state plan and shall administer the program  
3 in accordance with the state plan and this section.

4  
5 (b) The program shall provide energy assistance to  
6 eligible households as provided in this section. Energy  
7 assistance shall include those uses of federal funds  
8 authorized under public law 97-35, as amended. The state  
9 plan shall provide that of the authorized uses not less  
10 than twenty-five percent (25%) of the available funding for  
11 the program shall be used for weatherization assistance.  
12 Weatherization assistance shall include the following for  
13 residential dwellings only:

14

15 (i) Weatherization needs assessments and audits;

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17 (ii) Caulking, insulation, storm window and  
18 similar improvements to reduce energy use;

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20 (iii) Furnace and heating system modifications  
21 and repairs;

22

23 (iv) Furnace replacement;

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1           (v) Cooling efficiency modifications, repairs and  
2 replacements;

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4           (vi) Repair or replacement of water heaters and  
5 heating systems for portions of a dwelling;

6

7           (vii) Other measures as determined by the  
8 department to be necessary to ensure a safe, well-  
9 weatherized dwelling.

10

11           (c) In addition to categorically eligible individuals  
12 authorized under public law 97-35, as amended, the state  
13 plan shall provide eligibility for those households with  
14 incomes which do not exceed the greater of:

15

16           (i) An amount equal to one hundred eighty-five  
17 percent (185%) of the federal poverty level for Wyoming; or

18

19           (ii) An amount equal to sixty percent (60%) of  
20 the state median income.

21

22           (d) The department may modify the state plan as  
23 necessary to meet federal requirements not to exclude

1 households with lesser incomes than the amounts specified  
2 in subsection (c) of this section.

3

4 (e) The maximum assistance provided to any household  
5 under the program in any state fiscal year shall not exceed  
6 the federal department of energy maximum annual unit  
7 average as calculated and authorized under public law 97-  
8 35, as amended.

9

10 (f) The department may adopt rules and regulations as  
11 necessary to implement this section.

12

13 **Section 3.** W.S. 9-2-2101 by creating a new subsection  
14 (k) is amended to read:

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16 **9-2-2101. Department of family services; duties and**  
17 **responsibilities; state grants; authority to contract for**  
18 **shelters; definitions; youth programs.**

19

20 (k) The department shall administer the low income  
21 home energy assistance program in accordance with W.S. 42-  
22 2-501.

23

24 **Section 3.**

1

2 (a) There is appropriated from the general fund to  
3 the department of family services **three million dollars**  
4 **(\$3,000,000.00)** for the low income home energy assistance  
5 program for the remainder of the fiscal biennium ending  
6 June 30, 2006 and the fiscal biennium beginning July 1,  
7 2006. Notwithstanding W.S. 9-4-207, these funds shall not  
8 lapse at the end of the fiscal biennium ending June 30,  
9 2006.

10

11 **Section 4.**

12

13 (a) The department of family services shall include a  
14 request for funds in its 2009-2010 standard budget request  
15 to continue funding for the low income home energy  
16 assistance program at levels provided under this act.

17

18 (b) The department of family services shall modify  
19 any existing state plan submitted pursuant to Public Law  
20 97-35 as necessary to reflect the provisions of this act.  
21 A modified state plan may be submitted to federal  
22 authorities immediately and shall be submitted no later  
23 than July 30, 2006.

24

1           **Section 5.** This act is effective immediately upon  
2 completion of all acts necessary for a bill to become law  
3 as provided by Article 4, Section 8 of the Wyoming  
4 Constitution.

5

6

(END)