

ORIGINAL HOUSE  
BILL NO. 0124

ENROLLED ACT NO. 16, HOUSE OF REPRESENTATIVES

FIFTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING  
2006 BUDGET SESSION

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

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

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

ARTICLE 5  
ENERGY ASSISTANCE

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

(a) The department shall administer a low income home energy assistance program in accordance with federal P.L. 97-35, as amended. The department shall submit and keep current a state plan and shall administer the program in accordance with the state plan and this section.

(b) The program shall provide energy assistance to eligible households as provided in this section. Energy assistance shall include those uses of federal funds authorized under P.L. 97-35, as amended. To the extent permitted by federal law the state plan shall provide that of the authorized uses not less than twenty-five percent (25%) of the available funding for the program shall be used for weatherization assistance. Weatherization assistance shall include the following for residential dwellings only:

(i) Weatherization needs assessments and audits;

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

(iii) Furnace and heating system modifications and repairs;

(iv) Furnace replacement;

(v) Cooling efficiency modifications, repairs and replacements;

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

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

(c) In addition to categorically eligible individuals authorized under P.L. 97-35, as amended, the state plan shall provide eligibility for those households with incomes which do not exceed the greater of:

(i) An amount equal to two hundred fifteen percent (215%) of the federal poverty level for Wyoming; or

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

(d) The department may modify the state plan as necessary:

(i) To meet federal requirements not to exclude households with lesser incomes than the amounts specified in subsection (c) of this section; and

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(ii) To exclude households from receiving federal funds if the household income limitation provided in this section would violate federal restrictions.

(e) The maximum assistance provided to any household under the program in any state fiscal year shall not exceed the federal department of energy maximum annual unit average as calculated and authorized under P.L. 106-469, as amended.

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

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

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

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

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

**Section 4.**

(a) The department of family services shall include a

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request for funds in its 2009-2010 standard budget request to continue funding for the low income home energy assistance program at levels provided under this act.

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

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

(END)

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Governor

TIME APPROVED: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

I hereby certify that this act originated in the House.

\_\_\_\_\_  
Chief Clerk