



# Senate

General Assembly

**File No. 228**

February Session, 2018

Substitute Senate Bill No. 438

*Senate, April 4, 2018*

The Committee on Human Services reported through SEN. MOORE, M. of the 22nd Dist. and SEN. MARKLEY, J. of the 16th Dist., Chairpersons of the Committee on the part of the Senate, that the substitute bill ought to pass.

***AN ACT REQUIRING TIMELY PAYMENT OF FUEL VENDORS IN THE CONNECTICUT ENERGY ASSISTANCE PROGRAM.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 16a-41a of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) The Commissioner of Social Services shall submit to the joint  
4 standing committees of the General Assembly having cognizance of  
5 energy planning and activities, appropriations, and human services the  
6 following on the implementation of the block grant program  
7 authorized under the Low-Income Home Energy Assistance Act of  
8 1981, as amended:

9 (1) Not later than August first, annually, a Connecticut energy  
10 assistance program annual plan which establishes guidelines for the  
11 use of funds authorized under the Low-Income Home Energy  
12 Assistance Act of 1981, as amended, and includes the following:

13 (A) Criteria for determining which households are to receive  
14 emergency and weatherization assistance;

15 (B) A description of systems used to ensure referrals to other energy  
16 assistance programs and the taking of simultaneous applications, as  
17 required under section 16a-41;

18 (C) A description of outreach efforts;

19 (D) Estimates of the total number of households eligible for  
20 assistance under the program and the number of households in which  
21 one or more elderly or physically disabled individuals eligible for  
22 assistance reside; [and]

23 (E) Design of a basic grant for eligible households that does not  
24 discriminate against such households based on the type of energy used  
25 for heating; and

26 (F) A payment plan for fuel deliveries beginning November 1, 2018,  
27 that ensures a vendor of deliverable fuel who completes deliveries  
28 authorized by a community action agency that contracts with the  
29 commissioner to administer a fuel assistance program is paid by the  
30 community action agency not later than thirty business days after the  
31 date the community action agency receives a fuel slip or invoice for  
32 payment from the vendor;

33 (2) Not later than January thirtieth, annually, a report covering the  
34 preceding months of the program year, including:

35 (A) In each community action agency geographic area and  
36 Department of Social Services region, the number of fuel assistance  
37 applications filed, approved and denied, the number of emergency  
38 assistance requests made, approved and denied and the number of  
39 households provided weatherization assistance;

40 (B) In each such area and district, the total amount of fuel,  
41 emergency and weatherization assistance, itemized by such type of  
42 assistance, and total expenditures to date; [and]

43 (C) For each state-wide office of each state agency administering the  
44 program, each community action agency and each Department of  
45 Social Services region, administrative expenses under the program, by  
46 line item, and an estimate of outreach expenditures; and

47 (D) A list of community action agencies that failed to make timely  
48 payments to vendors of deliverable fuel in the Connecticut energy  
49 assistance program and the steps taken by the commissioner to ensure  
50 future timely payments by such agencies; and

51 (3) Not later than November first, annually, a report covering the  
52 preceding twelve calendar months, including:

53 (A) In each community action agency geographic area and  
54 Department of Social Services region, (i) seasonal totals for the  
55 categories of data submitted under subdivision (1) of this subsection,  
56 (ii) the number of households receiving fuel assistance in which elderly  
57 or physically disabled individuals reside, and (iii) the average  
58 combined benefit level of fuel, emergency and renter assistance;

59 (B) Types of weatherization assistance provided;

60 (C) Percentage of weatherization assistance provided to tenants;

61 (D) The number of homeowners and tenants whose heat or total  
62 energy costs are not included in their rent receiving fuel and  
63 emergency assistance under the program by benefit level;

64 (E) The number of homeowners and tenants whose heat is included  
65 in their rent and who are receiving assistance, by benefit level; and

66 (F) The number of households receiving assistance, by energy type  
67 and total expenditures for each energy type.

68 (b) The Commissioner of Social Services shall implement a program  
69 to purchase deliverable fuel for low-income households participating  
70 in the Connecticut energy assistance program and the state-  
71 appropriated fuel assistance program. The commissioner shall ensure

72 that no fuel vendor discriminates against fuel assistance program  
73 recipients who are under the vendor's standard payment, delivery,  
74 service or other similar plans. The commissioner may take advantage  
75 of programs offered by fuel vendors that reduce the cost of the fuel  
76 purchased, including, but not limited to, fixed price, capped price,  
77 prepurchase or summer-fill programs that reduce program cost and  
78 that make the maximum use of program revenues. As funding allows,  
79 the commissioner shall ensure that all agencies administering the fuel  
80 assistance program shall make payments to program fuel vendors in  
81 advance of the delivery of energy where vendor provided price-  
82 management strategies require payments in advance.

83 (c) Each community action agency administering a fuel assistance  
84 program shall submit reports, as requested by the Commissioner of  
85 Social Services, concerning pricing information from vendors of  
86 deliverable fuel participating in the program. Such information shall  
87 include, but not be limited to, the state-wide or regional retail price per  
88 unit of deliverable fuel, the reduced price per unit paid by the state for  
89 the deliverable fuel in utilizing price management strategies offered by  
90 program vendors for all consumers, the number of units delivered to  
91 the state under the program and the total savings under the program  
92 due to the purchase of deliverable fuel utilizing price-management  
93 strategies offered by program vendors for all consumers.

94 (d) If funding allows, the Commissioner of Social Services, in  
95 consultation with the Secretary of the Office of Policy and  
96 Management, shall require that, each community action agency  
97 administering a fuel assistance program begin accepting applications  
98 for the program not later than September first of each year.

99 (e) Not later than November 1, 2018, the Commissioner of Social  
100 Services shall require each community action agency administering a  
101 fuel assistance program to make payment to a vendor of deliverable  
102 fuel not later than thirty days after the community action agency  
103 receives a fuel slip or invoice for payment from the vendor.

104 [(e)] (f) The Commissioner of Social Services shall submit each plan

105 or report described in subsection (a) of this section to the Low-Income  
106 Energy Advisory Board, established pursuant to section 16a-41b, not  
107 later than seven days prior to submitting such plan or report to the  
108 joint standing committee of the General Assembly having cognizance  
109 of matters relating to energy and technology, appropriations and  
110 human services.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	16a-41a

**HS**      *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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***OFA Fiscal Note******State Impact:*** None***Municipal Impact:*** None***Explanation***

The bill is not anticipated to result in a fiscal impact to the state. The bill makes changes to reporting requirements and specifies the timeframe in which a community action agency administering a fuel assistance program must pay a vendor of deliverable fuel.

***The Out Years******State Impact:*** None***Municipal Impact:*** None

**OLR Bill Analysis****sSB 438*****AN ACT REQUIRING TIMELY PAYMENT OF FUEL VENDORS IN THE CONNECTICUT ENERGY ASSISTANCE PROGRAM.*****SUMMARY**

This bill requires the Department of Social Services (DSS) commissioner to require, by November 1, 2018, community action agencies (CAA) that administer fuel assistance programs to pay deliverable fuel vendors within 30 days after receiving a fuel slip or payment invoice from the vendor.

CAAs generally administer fuel assistance programs under the federal Low-Income Home Energy Assistance Program (LIHEAP), which funds the Connecticut Energy Assistance Program (CEAP). The bill expands two requirements for existing reports on these programs that DSS must submit annually to the Appropriations, Energy and Technology, and Human Services committees. First, the bill requires DSS' LIHEAP plan, due August 1, to include a payment plan for fuel deliveries beginning November 1, 2018 that ensures that deliverable fuel vendors who complete CAA-authorized deliveries for a fuel assistance program are paid by the CAA within 30 business days after the CAA receives a fuel slip or payment invoice from the vendor. Secondly, the bill requires DSS's annual LIHEAP report, due January 30, to include a list of CAAs that failed to make timely payments to deliverable fuel vendors in CEAP and steps taken by the DSS commissioner to ensure future timely payments by such agencies.

EFFECTIVE DATE: Upon passage

**COMMITTEE ACTION**

Human Services Committee

Joint Favorable Substitute

Yea 18    Nay 1    (03/20/2018)