

# HOUSE BILL No. 1286

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 12-20-6-1; IC 12-20-16-3.

**Synopsis:** Poor relief funds for utility assistance. Provides that a township trustee is not required to pay delinquent utility bills to prevent termination of utility services or to restore terminated services. (Current law states that the township trustee may pay delinquent utility bills but does not specifically state that the township trustee is not required to pay them.) Requires a utility that has terminated service to restore the service if a township trustee authorizes the payment of future bills for the service.

**Effective:** July 1, 1999.

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**Smith V**

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January 11, 1999, read first time and referred to Committee on Commerce and Economic Development.

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First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

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# HOUSE BILL No. 1286



A BILL FOR AN ACT to amend the Indiana Code concerning human services.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 12-20-6-1 IS AMENDED TO READ AS  
 2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1. (a) A township  
 3 trustee may not extend aid to an individual or a household unless an  
 4 application and affidavit setting forth the personal condition of the  
 5 individual or household has been filed with the trustee within one  
 6 hundred eighty (180) days before the date aid is extended.  
 7 (b) An individual filing an application and affidavit on behalf of a  
 8 household must provide the names of all household members and any  
 9 information necessary for determining the household's eligibility for  
 10 poor relief. The application must be on the form prescribed by the state  
 11 board of accounts.  
 12 (c) An applicant for utility assistance under IC 12-20-16-3(a) must  
 13 comply with ~~IC 12-20-16-3(d)~~. **IC 12-20-16-3(e)**.  
 14 (d) The township trustee may not extend additional or continuing  
 15 aid to an individual or a household unless the individual or household  
 16 files an affidavit with the request for assistance affirming how, if at all,  
 17 the personal condition of the individual or the household has changed



1 from that set forth in the individual's or household's most recent  
2 application.

3 SECTION 2. IC 12-20-16-3 IS AMENDED TO READ AS  
4 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 3. (a) The township  
5 trustee may, in cases of necessity, authorize the payment from township  
6 poor relief money for essential utility services, including the following:

- 7 (1) Water services.
- 8 (2) Gas services.
- 9 (3) Electric services.
- 10 (4) Fuel oil services for fuel oil used for heating or cooking.
- 11 (5) Coal, wood, or liquid propane used for heating or cooking.

12 In addition, the township trustee may, **but is not required to**, authorize  
13 the payment of delinquent bills for the services listed in subdivisions  
14 (1) through (5) when necessary to prevent the termination of the  
15 services or to restore terminated service.

16 **(b) A utility that terminates a service listed in subsection (a)(1)**  
17 **through (a)(5) shall restore the service if the township trustee**  
18 **authorizes payment of future bills for the service.**

19 ~~(b)~~ (c) The township trustee is not required to pay for any utility  
20 service:

- 21 (1) that is not properly charged to:
  - 22 (A) an adult member of a household;
  - 23 (B) an emancipated minor who is head of the household; or
  - 24 (C) a landlord or former member of the household if the  
25 applicant proves that the applicant is responsible for payment  
26 of the bill; or
- 27 (2) received as a result of a fraudulent act by any adult member of  
28 a household requesting poor relief assistance.

29 ~~(c)~~ (d) The amount paid by the township trustee, as administrator of  
30 poor relief, and the amount charged for water services may not exceed  
31 the minimum rate charged for the service as fixed by the Indiana utility  
32 regulatory commission.

33 ~~(d)~~ (e) This subsection applies only during the part of each year  
34 when applications for assistance are accepted by the division under  
35 IC 12-14-11. A township trustee may not provide assistance to make  
36 any part of a payment for heating fuel or electric services for more than  
37 thirty (30) days unless the individual files an application with the  
38 township trustee that includes the following:

- 39 (1) Evidence of application for assistance for heating fuel or  
40 electric services from the division under IC 12-14-11.
- 41 (2) The amount of assistance received or the reason for denial of  
42 assistance.



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1 The township trustee shall inform an applicant for assistance for  
2 heating fuel or electric services that assistance for heating fuel and  
3 electric services may be available from the division under IC 12-14-11  
4 and that the township trustee may not provide assistance to make any  
5 part of a payment for those services for more than thirty (30) days  
6 unless the individual files an application for assistance for heating fuel  
7 or electric services under IC 12-14-11. However, if the applicant  
8 household is eligible under criteria established by the division of  
9 ~~disability, aging, and rehabilitative services~~ for energy assistance under  
10 IC 12-14-11, the trustee may certify the applicant as eligible for that  
11 assistance by completing an application form prescribed by the state  
12 board of accounts and forwarding the eligibility certificate to the  
13 division of ~~disability, aging, and rehabilitative services~~ within the  
14 period established for the acceptance of applications. If the trustee  
15 follows this certification procedure, no other application is required for  
16 assistance under IC 12-14-11.

17 ~~(e)~~ (f) If an individual or a member of an individual's household has  
18 received assistance under subsection (a), the individual must, before  
19 the individual or the member of the individual's household may receive  
20 further assistance under subsection (a), certify whether the individual's  
21 or household's income, resources, or household size has changed since  
22 the individual filed the most recent application for poor relief  
23 assistance. If the individual or a member of the individual's household  
24 certifies that the income, resources, or household size has changed, the  
25 township trustee shall review the individual's or household's eligibility  
26 and may make any necessary adjustments in the level of assistance  
27 provided to the individual or to a member of the individual's household.

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