

**MICHIGAN LOW INCOME HEATING ASSISTANCE AND SHUT-OFF PROTECTION ACT
(EXCERPT)
Act 34 of 1984**

400.1208 Annual consumption cap; establishment; conditions requiring payments in excess of limits; lowering or raising consumption caps.

Sec. 8.

(1) An annual consumption cap is established for all assisted households. The department shall be responsible for payment of heating bills of assisted households up to the annual consumption cap. Subject to subsections (2), (3), and (4) and the available appropriation for each fiscal year, the annual assistance cap for full program years is as follows:

1984-1985 300,000 cubic feet

1985-1986 300,000 cubic feet

1986-1987 250,000 cubic feet

1987-1988 200,000 cubic feet

(2) As part of the energy program created by this act, the department, subject to available funding, shall make payments in excess of the limits established in section 10 or 53 of Act No. 171 of the Public Acts of 1983, as appropriate to recipients of public assistance, if all of the following conditions are satisfied:

(a) The recipient to which the payment is to be made is, at the time of requesting the additional payment, paying to a heating fuel provider, or permitting the department to directly pay to a heating fuel provider, or has agreed to permit the department to directly pay to a heating fuel provider, the monthly basic heating allowance included in the recipient's grant and appropriate special needs allowances.

(b) The recipient has agreed to participate in the weatherization-related service offered by the state and to accept weatherization when designated by the department to receive that service.

(c) If weatherization has been determined to be inappropriate for the residence of the recipient, the recipient has agreed to relocate to reasonable alternative housing, when the housing is available.

(3) If the department determines that the consumption caps in subsection (1) can be lowered while still meeting payment obligations and providing shut-off protection, the department may lower the caps.

(4) If the average winter temperature in a program year is colder than normal by 5% or more, the department shall seek legislative approval to raise the annual assistance cap as the department considers necessary.

History: 1984, Act 34, Eff. Apr. 12, 1984