



# SENATE BILL 452: Utilities/User Responsible for Utility Bill.

2021-2022 General Assembly

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<b>Committee:</b> Senate Rules and Operations of the Senate	<b>Date:</b> May 5, 2021
<b>Introduced by:</b> Sen. Johnson	<b>Prepared by:</b> Jennifer McGinnis
<b>Analysis of:</b> Second Edition	Staff Attorney

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**OVERVIEW:** *Senate Bill 452 would amend current law governing the debt collection practices of a city or county that operates a public enterprise to generally prohibit such entities from billing a landlord for service to premises that the landowner no longer owns, leases, or occupies.*

## CURRENT LAW:

Existing law:

- Prohibits a public utility, an electric membership corporation, a telephone membership corporation, and a city or county that operate a public enterprise from suspending or disconnecting service to an individual due to the debt of another person who resides with the customer unless one or more of the following apply:
  - The customer and the other person were members of the same household at a different location when the unpaid balance for service was incurred.
  - The person was a member of the customer's current household at the time service was established and the person had an unpaid balance for service at that time.
  - The person is or becomes responsible for the bill for the service to the customer.
- Prohibits a public utility, an electric membership corporation, a telephone membership corporation, and a city or county that operate a public enterprise from requiring a customer to assume the debt of another person who will reside in the customer's household in order to continue service unless one of the following apply:
  - The customer and the other person were members of the same household at a different location.
  - The person was a member of the customer's current household at the time service was established.

A public utility, an electric membership corporation, a telephone membership corporation, and a city or county that operate a public enterprise are not prohibited, however, from using any remedy to collect a debt if a customer misrepresents his or her identity to receive service.

**BILL ANALYSIS:** The bill would prohibit a city or county that operates a public enterprise from billing a landlord for service to premises that the landowner no longer owns, leases, or occupies, except where the service for which payment is sought was provided during the time the landlord owned, leased, or occupied the premises. The prohibition would apply notwithstanding any agreement between the landlord and the public enterprise to reconnect service to the premises during the time the landlord owned, occupied, or leased the property.

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**EFFECTIVE DATE:** The bill would be effective when it becomes law, and apply to attempts to collect payment on or after that date.