

ASSEMBLY, No. 4430

STATE OF NEW JERSEY

218th LEGISLATURE

INTRODUCED SEPTEMBER 17, 2018

Sponsored by:

Assemblywoman YVONNE LOPEZ

District 19 (Middlesex)

Assemblywoman ELIANA PINTOR MARIN

District 29 (Essex)

Assemblyman JAMES J. KENNEDY

District 22 (Middlesex, Somerset and Union)

SYNOPSIS

“Linda’s Law”; prohibits electric public utilities from discontinuing service to customers using life-sustaining equipment with verification of use of equipment.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 9/28/2018)

1 AN ACT concerning certain public utility service discontinuances,
2 and designated as “Linda’s Law,” and supplementing Title 48 of
3 the Revised Statutes.

4
5 BE IT ENACTED by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. As used in P.L. , c. (C.) (pending before the
9 Legislature as this bill):

10 “Board” means the Board of Public Utilities or any successor
11 agency.

12 “Electric public utility” or “utility” means a public utility, as that
13 term is defined in R.S.48:2-13, that provides electric distribution
14 service.

15 “Emergency” means any condition constituting a clear and
16 present danger to life, health, or property requiring a public utility
17 to immediately discontinue or interrupt service or provide an
18 unscheduled discontinuance or interruption in service caused by a
19 sudden natural or man-made disaster or related event.

20 “Medical customer” means a residential utility customer of
21 record who affirmatively responds to a request for information
22 pursuant to subsection a. of section 2 of P.L. , c. (C.)
23 (pending before the Legislature as this bill).

24
25 2. a. An electric public utility shall request from every
26 residential customer, on a semi-annual basis, information,
27 determined by the board, as to whether the residential customer, or
28 any person living at the residential customer’s address, uses life-
29 sustaining equipment powered by electricity at the residential
30 customer’s address. If a residential customer responds to the
31 utility’s request for information indicating the residential customer
32 or a person living at the residential customer’s address uses life-
33 sustaining equipment powered by electricity, the utility shall
34 designate that residential customer as a medical customer.

35 b. Except when a utility experiences an emergency, a utility
36 shall not discontinue service to a medical customer for utility bill
37 nonpayment if a medical customer’s condition would be aggravated
38 by a discontinuance of electric service. A utility shall require the
39 medical customer to:

40 (1) provide reasonable proof of an inability to pay a utility bill
41 on or before the bill’s due date; and

42 (2) semi-annually submit a written physician's statement to the
43 utility, stating:

44 (a) the existence of the medical customer’s use of life-sustaining
45 equipment powered by electricity at the medical customer's
46 premises;

1 (b) the nature of the condition of the medical customer and its
2 probable duration, only if the disclosure of the information is not
3 otherwise prohibited by law; and

4 (c) that the discontinuance of service to the medical customer
5 will aggravate the condition of the medical customer.
6

7 3. A medical customer who does not pay in full a utility bill on
8 or before the date the bill is due shall be liable for any bill payment
9 balance for service rendered by the utility.
10

11 4. This act shall take effect immediately, but shall remain
12 inoperative for 60 days following the date of enactment.
13

14
15 STATEMENT
16

17 This bill is to be known as “Linda’s Law” in memory of Linda
18 Daniels, who depended on an oxygen machine powered by
19 electricity to survive, who died after electric service to her home
20 was discontinued.

21 This bill requires an electric public utility (utility) to request
22 from every residential customer, on a semi-annual basis,
23 information determined by the Board of Public Utilities (BPU), as
24 to whether the residential customer, or any person living at the
25 customer’s residence, uses life-sustaining equipment powered by
26 electricity at the residential customer’s premises. If a residential
27 customer responds to the utility’s request for information indicating
28 the residential customer or a person living at the residential
29 customer’s address uses life-sustaining equipment powered by
30 electricity, the utility is to designate that residential customer as a
31 “medical customer.”

32 The bill requires that, except when a utility experiences an
33 “emergency,” as that term is defined in the bill, a utility is
34 prohibited from discontinuing service to a medical customer for
35 utility bill nonpayment if a medical customer’s condition would be
36 aggravated by a discontinuance of service. A utility shall require
37 the medical customer to: (1) provide reasonable proof of an
38 inability to pay a utility bill on or before the bill’s due date; and (2)
39 semi-annually submit a written physician’s statement to the utility,
40 stating the existence of the medical customer’s use of life-
41 sustaining equipment powered by electricity at the customer’s
42 premises, the nature of the condition of the medical customer and
43 its probable duration only if the disclosure of the information is not
44 otherwise prohibited by law, and that the discontinuance of service
45 to the medical customer will aggravate the condition of the medical
46 customer.

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- 1 The bill provides that a medical customer who does not pay in
- 2 full a utility bill on or before the date the bill is due is liable for any
- 3 bill payment balance for service rendered by the utility.