

[First Reprint]

SENATE, No. 3029

STATE OF NEW JERSEY
218th LEGISLATURE

INTRODUCED OCTOBER 15, 2018

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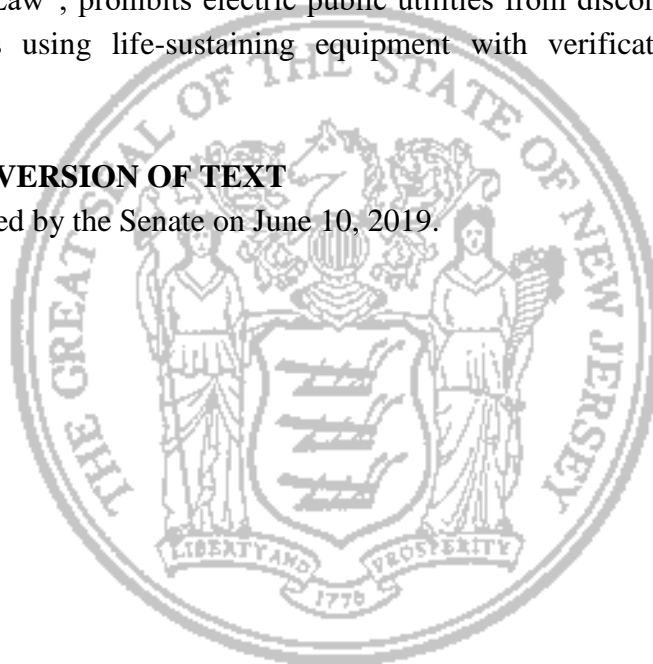
Senators Singleton and Pou

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 amended by the Senate on June 10, 2019.



(Sponsorship Updated As Of: 6/21/2019)

1 AN ACT concerning ¹**[certain]** electric¹ public utility service
 2 discontinuances, and designated as “Linda’s Law,” and
 3 supplementing Title 48 of 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 ¹**[clear and**
 16 **present]** potential¹ danger to life, health, or property requiring ¹**[a]**
 17 an electric¹ public utility to immediately discontinue or interrupt
 18 service or ¹**[provide]** that results in¹ an unscheduled discontinuance
 19 or interruption in electric¹ service ¹**[caused by a sudden natural or**
 20 **man-made disaster or related event]**¹.

21 “Medical customer” means a residential electric public¹ utility
 22 customer of record who uses life-sustaining equipment powered by
 23 electricity, as determined by the board, at the customer’s address
 24 and¹ affirmatively responds to a request for information pursuant to
 25 subsection a. of section 2 of P.L. , c. (C.) (pending before
 26 the Legislature as this bill).

27
 28 2. a. An electric public utility shall request from every
 29 residential customer, on a semi-annual basis, information,
 30 determined by the board, as to whether the residential customer, or
 31 any person living at the residential customer’s address, uses life-
 32 sustaining equipment powered by electricity at the residential
 33 customer’s address. If a residential customer responds to the
 34 utility’s request for information indicating ¹that¹ the residential
 35 customer or a person living at the residential customer’s address
 36 uses life-sustaining equipment powered by electricity, the utility
 37 shall designate that residential customer as a medical customer.

38 b. ¹**[Except when a utility experiences an emergency, a utility**
 39 **shall not discontinue service to a medical customer for utility bill**
 40 **nonpayment]** Discontinuance of electric service for nonpayment is
 41 prohibited for a period of 90 days,¹ if a medical customer’s
 42 condition would be aggravated by a discontinuance of electric
 43 service. ¹**[A utility shall require]** The board may extend the 90-day

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
 not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate floor amendments adopted June 10, 2019.

1 period of time in which a discontinuance of electric service is
2 prohibited for an additional period of time for good cause. The
3 board shall determine which types of licensed medical professionals
4 are able to sign a medical certification needed to avoid the
5 discontinuance of electric service pursuant to this section and shall
6 establish conditions that shall apply to the prohibition on a
7 discontinuance of electric service to a medical customer that shall
8 include, but not be limited to, provisions requiring¹ the medical
9 customer to:

10 (1) provide reasonable proof of an inability to pay a utility bill
11 on or before the bill's due date; and

12 (2) ¹["semi-annually"] submit a written ¹["physician's"] licensed
13 medical professional's¹ statement to the utility, stating:

14 (a) the existence of the medical customer's use of life-sustaining
15 equipment powered by electricity at the medical customer's
16 premises ¹and the probable duration of that use¹;

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

20 (c) that the discontinuance of service to the medical customer
21 will aggravate the condition of the medical customer.

22
23 3. A medical customer who does not pay in full ¹["a"] an electric
24 public¹ utility bill on or before the date the bill is due shall be liable
25 for any bill payment balance for service rendered by the utility ¹, in
26 accordance with a utility's tariff¹.

27
28 ¹4. The board shall direct each electric public utility to develop
29 a customer outreach plan, subject to board approval, that shall
30 inform customers of the process for qualifying as a medical
31 customer pursuant to P.L. , c. (C.) (pending before the
32 Legislature as this bill).¹

33
34 ¹5. An electric public utility shall be excused from compliance
35 with the provisions of section 2 of P.L. , c. (C.) (pending
36 before the Legislature as this bill) in the event of an emergency or
37 if, despite compliance by the utility with the requirements of section
38 2 of P.L. , c. (C.) (pending before the Legislature as this
39 bill), the medical customer fails or refuses to respond to a request
40 for information by the utility pursuant to section 2 of P.L. , c.
41 (C.) (pending before the Legislature as this bill).¹

42
43 ¹6. Notwithstanding any provisions of the "Administrative
44 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), the board
45 shall, within 180 days after the enactment of P.L. , c. (C.)
46 (pending before the Legislature as this bill), adopt rules and
47 regulations implementing the provisions of P.L. , c. (C.)

1 (pending before the Legislature as this bill). The rules and
2 regulations adopted by the board shall be effective as rules
3 regulations immediately upon filing with the Office of
4 Administrative Law and shall be effective for a period not to exceed
5 24 months, and may, thereafter, be amended, adopted, or readopted
6 by the board pursuant to the provisions of the “Administrative
7 Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.).¹

8
9 ¹**[4.]** 7.¹ This act shall take effect ¹**[immediately, but shall**
10 **remain inoperative for 60 days following]** on the 180th day after¹
11 the date of enactment ¹, except for section 6 of this act which shall
12 take effect immediately¹.