

# ASSEMBLY, No. 3878

## STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MARCH 23, 2020

**Sponsored by:**

**Assemblywoman BRITNEE N. TIMBERLAKE**

**District 34 (Essex and Passaic)**

**Assemblywoman SHANIQUE SPEIGHT**

**District 29 (Essex)**

**Assemblywoman ANGELA V. MCKNIGHT**

**District 31 (Hudson)**

**Co-Sponsored by:**

**Assemblyman Karabinchak and Assemblywoman Murphy**

**SYNOPSIS**

Prohibits electric, gas, or water public utility service discontinuances to residential customers during certain epidemics.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 2/22/2021)**

1 AN ACT concerning certain public utility service discontinuances to  
2 residential customers during certain epidemics and  
3 supplementing Title 48 of the Revised Statutes.

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

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

10 "Epidemic" means an outbreak of a disease of unusual virulence  
11 characterized by very widespread growth or extent, which has a  
12 significant impact on this State, resulting in the Governor declaring  
13 a public health emergency and a state of emergency.

14 "Public health emergency" shall have the same meaning as  
15 provided in section 2 of P.L.2005, c.222 (C.26:13-2).

16 "Public utility" means a public utility, as defined in R.S.48:2-13,  
17 that provides electric, gas, or water service.

18 "Public utility emergency" means any condition constituting a  
19 potential danger to life, health, or property requiring a public utility  
20 to immediately discontinue or interrupt electric or water service or  
21 that results in an unscheduled discontinuance or interruption in  
22 electric or water service.

23 "Residential customer" means a residential public utility  
24 customer of record and, if known to the public utility, any  
25 residential tenant of a multifamily residence having two or more  
26 units where the owner of that residence is a non-residential  
27 customer of record.

28 "State of emergency" means declaration of an emergency by the  
29 Governor pursuant to P.L.1942, c.251 (C.App.A:9-33 et seq.).

30  
31 2. a. Notwithstanding the provisions of any law, rule,  
32 regulation, or order to the contrary, except when a public utility  
33 experiences a public utility emergency, a public utility shall not  
34 discontinue service to a residential customer for public utility bill  
35 nonpayment during an epidemic. A public utility shall resume  
36 service, as soon as practicable, during an epidemic, to any  
37 residential customer whose service was discontinued prior to the  
38 existence of an epidemic and who is located at the same residence  
39 where the service was discontinued prior to the epidemic.

40 b. The provisions of subsection a. of this section shall no  
41 longer apply upon the Governor rescinding a declared public health  
42 emergency and a state of emergency in response to an epidemic that  
43 the Governor determines to be no longer in existence.

44 c. A residential customer who does not pay in full a public  
45 utility bill on or before the date the bill is due during an epidemic  
46 shall be liable for any bill payment balance for service rendered by  
47 the public utility once the Governor determines that the epidemic no  
48 longer exists.

1       3. This act shall take effect immediately.

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STATEMENT

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6       This bill prohibits an electric, gas, or water public utility (utility)  
7 from discontinuing service to a residential customer for utility bill  
8 nonpayment during an epidemic, such as during the outbreak of  
9 Coronavirus 2019, except when the utility experiences a utility  
10 emergency. A utility is to resume service, as soon as practicable,  
11 during an epidemic, to any residential customer whose service was  
12 discontinued prior to the existence of an epidemic and who is  
13 located at the same residence where the service was discontinued  
14 prior to the epidemic. This prohibition is no longer to apply once  
15 the Governor declares a public health emergency and a state of  
16 emergency due to the epidemic no longer exists. The bill provides  
17 that a residential customer who does not pay in full a utility bill on  
18 or before the date the bill is due during an epidemic is liable for any  
19 bill payment balance for service rendered by the public utility once  
20 the Governor determines that the epidemic no longer exists. The  
21 bill defines the terms “epidemic,” “residential customer.” and  
22 “utility emergency.”