

[First Reprint]

ASSEMBLY, No. 4677

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED SEPTEMBER 17, 2020

Sponsored by:

Assemblyman GARY S. SCHAER

District 36 (Bergen and Passaic)

Assemblyman ROY FREIMAN

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

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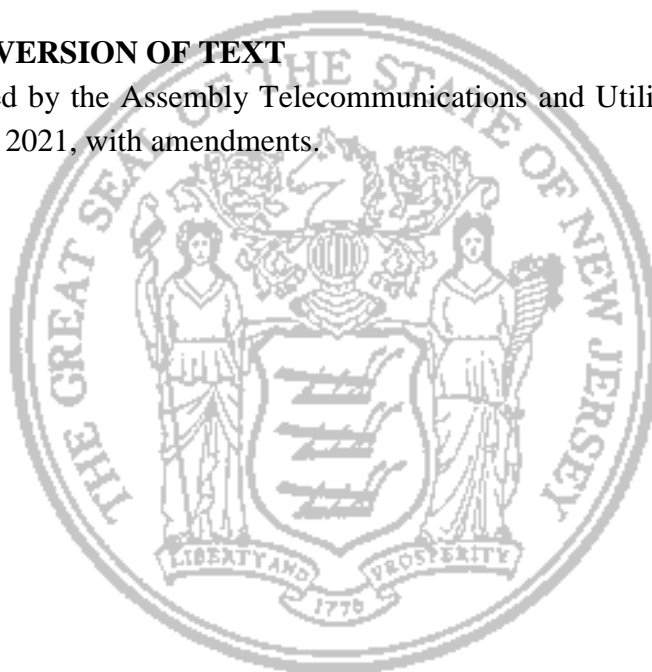
Assemblywoman McKnight and Assemblyman Moen

SYNOPSIS

Requires certain utilities to allow residential customers to satisfy outstanding balances over time.

CURRENT VERSION OF TEXT

As reported by the Assembly Telecommunications and Utilities Committee on March 15, 2021, with amendments.



(Sponsorship Updated As Of: 3/15/2021)

1 AN ACT concerning service resumption and payment of outstanding
 2 amounts after discontinuance of certain utility service, and
 3 supplementing Title 40A of the New Jersey Statutes and Title 48
 4 of the Revised Statutes.

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

8
 9 1. a. Notwithstanding the provisions of any law, rule,
 10 regulation, or order to the contrary, ¹prior to a municipal public
 11 utility discontinuing service to a residential customer, or if¹ a
 12 municipal public utility that resumes service to a residential
 13 customer, after having discontinued service to that customer for
 14 utility service bill nonpayment, ¹the utility¹ shall allow the
 15 customer to ¹enter into a deferred payment agreement with the
 16 utility under terms and conditions established by the department as
 17 rules and regulations adopted upon consultation with the board
 18 pursuant to subsection b. of this section. The rules and regulations
 19 shall, at a minimum, allow the customer to¹ make monthly
 20 payments to the utility, over a period of at least 12 months, to
 21 reduce any outstanding balance the customer owed to the utility for
 22 utility service provided prior to the utility service discontinuance.
 23 The amount due to the utility for the first six months of monthly
 24 outstanding payments shall be less than the amount due to the
 25 utility for the balance of monthly outstanding payments. Time
 26 periods under this section shall begin no earlier than the date of
 27 service resumption.

28 b. ¹The department, in consultation with the board, shall
 29 establish terms and conditions for deferred payment agreements
 30 provided by a utility and shall adopt those terms and conditions as
 31 rules and regulations, which shall be consistent, as possible, with
 32 any rules and regulations adopted by the board concerning the
 33 provision of deferred payment agreements.

34 c.¹ Nothing in subsection a. of this section shall otherwise effect
 35 a residential customer's liability to a municipal public utility for
 36 any other service rendered to the customer by the municipal public
 37 utility.

38 ¹**[c.] d.¹** As used in this section:

39 ¹"board" means the Board of Public Utilities or any successor
 40 agency;

41 "department" means the Department of Community Affairs; and¹

42 "municipal public utility" or "utility" means a municipal public
 43 utility, as defined in N.J.S.40A:1-1, that provides electric, gas,
 44 sewer, or water service.

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:

¹Assembly ATU committee amendments adopted March 15, 2021.

1 2. a. Notwithstanding the provisions of any law, rule,
2 regulation, or order to the contrary, ¹prior to a local public authority
3 discontinuing service to a residential customer, or if¹ a local public
4 authority that resumes service to a residential customer, after having
5 discontinued service to that customer for utility service bill
6 nonpayment, ¹the authority¹ shall allow the customer to ¹enter into
7 a deferred payment agreement with the authority under terms and
8 conditions established by the department as rules and regulations
9 adopted upon consultation with the board pursuant to subsection b.
10 of this section. The rules and regulations adopted pursuant to
11 subsection b. of this section, shall, at a minimum, allow the
12 customer to¹ make monthly payments to the utility, over a period of
13 at least 12 months, to reduce any outstanding balance the customer
14 owed to the authority for utility service provided prior to the utility
15 service discontinuance. The amount due to the authority for the
16 first six months of monthly outstanding payments shall be less than
17 the amount due to the authority for the balance of monthly
18 outstanding payments. Time periods under this section shall begin
19 no earlier than the date of service resumption.

20 b. ¹The department, in consultation with the board, shall
21 establish terms and conditions for deferred payment agreements
22 provided by a utility and shall adopt those terms and conditions as
23 rules and regulations, which shall be consistent, as possible, with
24 any rules and regulations adopted by the board concerning the
25 provision of deferred payment agreements.

26 c.¹ Nothing in subsection a. of this section shall otherwise effect
27 a residential customer's liability to a local public authority for any
28 other service rendered by the authority.

29 ¹[c.] d.¹ As used in this section:

30 ¹"board" means the Board of Public Utilities or any successor
31 agency;

32 "department" means the Department of Community Affairs; and¹

33 "local public authority" or "authority" means an authority, as
34 defined in N.J.S.40A:5A-3, that provides electric, gas, sewer, or
35 water service.

36
37 3. a. Notwithstanding the provisions of any law, rule,
38 regulation, or order to the contrary, ¹prior to a public utility
39 discontinuing service to a residential customer, or if¹ a public utility
40 that resumes service to a residential customer, after having
41 discontinued service to that customer for utility service bill
42 nonpayment, ¹the utility¹ shall allow the customer to ¹enter into a
43 deferred payment agreement with the utility under terms and
44 conditions established by the board as rules and regulations adopted
45 by the board pursuant to subsection b. of this section. The rules and
46 regulations adopted pursuant to subsection b. of this section, shall,
47 at a minimum, allow the customer to¹ make monthly payments to

1 the utility, over a period of at least 12 months, to reduce any
2 outstanding balance the customer owed to the utility for utility
3 service provided prior to the utility service discontinuance. The
4 amount due to the utility for the first six months of monthly
5 outstanding payments shall be less than the amount due to the
6 utility for the balance of monthly outstanding payments. Time
7 periods under this section shall begin no earlier than the date of
8 service resumption.

9 b. ¹The board shall establish terms and conditions for deferred
10 payment agreements established by a utility which shall be
11 consistent, as possible, with any rules and regulations adopted by
12 the board concerning the provision of deferred payment agreements.

13 c.¹ Nothing in subsection a. of this section shall otherwise effect
14 a residential customer's liability to a public utility for any service
15 rendered by the public utility in accordance with the utility's tariff.

16 ¹**[c.] d.**¹ As used in this section:

17 ¹"board" means the Board of Public Utilities or any successor
18 agency;¹

19 "public utility" or "utility" means a public utility, as defined in
20 R.S.48:2-13, that provides electric, gas, sewer, or water service; and

21 "residential customer" or "customer" means a residential public
22 utility customer of record.

23
24 4. This act shall take effect immediately.