

REFERENCE TITLE: electricity; gas; disconnection prohibited

State of Arizona
Senate
Fifty-fourth Legislature
First Regular Session
2019

SB 1542

Introduced by
Senators Mendez: Alston, Dalessandro, Gonzales, Navarrete, Otondo,
Peshlakai, Quezada, Rios, Steele; Representatives Butler, Chávez, Epstein,
Hernandez A, Peten, Salman

AN ACT

AMENDING TITLE 40, ARIZONA REVISED STATUTES, BY ADDING CHAPTER 8; RELATING
TO RESIDENTIAL POWER.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 40, Arizona Revised Statutes, is amended by adding
3 chapter 8, to read:

4 CHAPTER 8

5 RESIDENTIAL POWER

6 ARTICLE 1. GENERAL PROVISIONS

7 40-1251. Definition of utility

8 IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES, "UTILITY"
9 MEANS A PERSON THAT DELIVERS ELECTRICITY OR GAS-POWERED ENERGY TO A
10 RESIDENTIAL PROPERTY.

11 40-1252. Service disconnection; prohibition; requirements;
12 definition

13 A. A UTILITY MAY NOT DISCONNECT ANY SERVICE RELATED TO HEATING OR
14 AIR CONDITIONING IN THE FOLLOWING CIRCUMSTANCES:

15 1. FOR SERVICE RELATED TO HEATING, IF THE TEMPERATURE WHERE THE
16 METER IS LOCATED IS FORECASTED TO DROP BELOW THIRTY-TWO DEGREES
17 FAHRENHEIT.

18 2. FOR SERVICE RELATED TO AIR CONDITIONING, IF THE TEMPERATURE
19 WHERE THE METER IS LOCATED IS FORECASTED TO EXCEED NINETY DEGREES
20 FAHRENHEIT.

21 B. THE UTILITY SHALL MAKE REASONABLE PAYMENT ARRANGEMENTS WITH THE
22 CUSTOMER TO ALLOW FOR THE CONTINUATION OF SERVICE. IF THE CUSTOMER DOES
23 NOT HONOR THE PAYMENT ARRANGEMENT, THE UTILITY MAY DISCONNECT SERVICE
24 RELATED TO HEATING ONCE THE TEMPERATURE IS ABOVE THIRTY-TWO DEGREES
25 FAHRENHEIT OR AT THE BEGINNING OF APRIL, WHICHEVER OCCURS FIRST, OR
26 SERVICE RELATING TO AIR CONDITIONING ONCE THE TEMPERATURE IS BELOW NINETY
27 DEGREES FAHRENHEIT OR AT THE BEGINNING OF OCTOBER, WHICHEVER OCCURS FIRST.

28 C. A UTILITY MAY NOT DISCONNECT A CUSTOMER'S SERVICE IF ANY OF THE
29 FOLLOWING APPLY:

30 1. THE CUSTOMER'S HOUSEHOLD INCOME IS AT OR BELOW TWO HUNDRED
31 PERCENT OF THE FEDERAL POVERTY GUIDELINES AND THE CUSTOMER MAKES A MINIMUM
32 PAYMENT.

33 2. THE CUSTOMER HAS A HOUSEHOLD WITH ANY OF THE FOLLOWING:

34 (a) A RESIDENT WHO HAS A DISABILITY OR WHO IS SIXTY-FIVE YEARS OF
35 AGE OR OLDER.

36 (b) A PREGNANT WOMAN.

37 (c) A CHILD WHO IS UNDER FIVE YEARS OF AGE.

38 (d) A PERSON WHO USES LIFE SUPPORT EQUIPMENT.

39 D. ON RECEIPT OF WRITTEN NOTICE FROM A MEDICAL PROFESSIONAL, A
40 UTILITY SHALL DELAY DISCONNECTION OF SERVICE FOR A CUSTOMER FOR THIRTY
41 DAYS IF THE MEDICAL PROFESSIONAL DETERMINES THAT DISCONNECTING SERVICE TO
42 A CUSTOMER WOULD BE DETRIMENTAL TO THE CUSTOMER'S HEALTH DUE TO A MEDICAL
43 CONDITION. THE UTILITY SHALL DELAY A DISCONNECTION OF SERVICE FOR AN
44 ADDITIONAL THIRTY DAYS IF AT THE END OF THE PREVIOUS DELAY THE MEDICAL

1 PROFESSIONAL CERTIFIES THAT THE CUSTOMER CONTINUES TO SUFFER FROM THE
2 MEDICAL CONDITION.

3 E. BEFORE SERVICE IS DISCONNECTED, A UTILITY SHALL INFORM THE
4 CUSTOMER IN WRITING OF ANY LOW-INCOME ASSISTANCE PROGRAM THAT THE UTILITY
5 PROVIDES AND ANY ADDITIONAL PAYMENT ASSISTANCE RESOURCES.

6 F. FOR THE PURPOSES OF THIS SECTION, "MEDICAL PROFESSIONAL" HAS THE
7 SAME MEANING PRESCRIBED IN SECTION 20-2102.