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

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

CHAPTER 8
RESIDENTIAL POWER
ARTICLE 1. GENERAL PROVISIONS

40-1251. Definition of utility

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

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

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

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

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

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

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

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

2. THE CUSTOMER HAS A HOUSEHOLD WITH ANY OF THE FOLLOWING:
   (a) A RESIDENT WHO HAS A DISABILITY OR WHO IS SIXTY-FIVE YEARS OF AGE OR OLDER.
   (b) A PREGNANT WOMAN.
   (c) A CHILD WHO IS UNDER FIVE YEARS OF AGE.
   (d) A PERSON WHO USES LIFE SUPPORT EQUIPMENT.

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

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

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