

REFERENCE TITLE: **electricity; gas; disconnection prohibited**

State of Arizona
Senate
Fifty-sixth Legislature
First Regular Session
2023

SB 1514

Introduced by
Senators Mendez: Miranda, Sundareshan, Terán; Representative Salman

AN ACT

AMENDING TITLE 40, ARIZONA REVISED STATUTES, BY ADDING CHAPTER 3; 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 3, to read:

4 CHAPTER 3

5 RESIDENTIAL POWER

6 ARTICLE 1. GENERAL PROVISIONS

7 40-601. Definitions

8 IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

9 1. "MEDICAL PROFESSIONAL" HAS THE SAME MEANING PRESCRIBED IN
10 SECTION 20-2102.

11 2. "REASONABLE PAYMENT ARRANGEMENT" MEANS AN AGREEMENT BETWEEN THE
12 UTILITY AND THE CUSTOMER THAT PROVIDES AT LEAST SIX MONTHS FOR THE
13 CUSTOMER TO PAY THE OUTSTANDING BALANCES WITHOUT BEING CHARGED INTEREST.

14 3. "UTILITY" MEANS A PERSON THAT DELIVERS ELECTRICITY OR
15 GAS-POWERED ENERGY TO A RESIDENTIAL PROPERTY.

16 40-602. Service disconnection; prohibition; requirements

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

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

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

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

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

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

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

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

40 (b) A PREGNANT WOMAN.

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

42 (d) A PERSON WHO USES LIFE-SUPPORT EQUIPMENT.

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

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