

CHAPTER 154
(CORRECTED COPY)

AN ACT concerning electric public utility service discontinuances, and designated as “Linda’s Law,” and supplementing Title 48 of the Revised Statutes.

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

C.48:2-29.48 Definitions relative to electric public utility service discontinuances.

1. As used in P.L.2019, c.154 (C.48:2-29.48 et seq.):

“Board” means the Board of Public Utilities or any successor agency.

“Electric public utility” or “utility” means a public utility, as that term is defined in R.S.48:2-13, that provides electric distribution service.

“Emergency” means any condition constituting a potential danger to life, health, or property requiring an electric public utility to immediately discontinue or interrupt service or that results in an unscheduled discontinuance or interruption in electric service.

“Medical customer” means a residential electric public utility customer of record who uses life-sustaining equipment powered by electricity, as determined by the board, at the customer’s address and affirmatively responds to a request for information pursuant to subsection a. of section 2 of P.L.2019, c.154 (C.48:2-29.49).

C.48:2-29.49 Annual request for information by electric public utility.

2. a. An electric public utility shall request from every residential customer, on a semi-annual basis, information, determined by the board, as to whether the residential customer, or any person living at the residential customer’s address, uses life-sustaining equipment powered by electricity at the residential customer’s address. If a residential customer responds to the utility’s request for information indicating that the residential customer or a person living at the residential customer’s address uses life-sustaining equipment powered by electricity, the utility shall designate that residential customer as a medical customer.

b. Discontinuance of electric service for nonpayment is prohibited for a period of 90 days, if a medical customer’s condition would be aggravated by a discontinuance of electric service. The board may extend the 90-day period of time in which a discontinuance of electric service is prohibited for an additional period of time for good cause. The board shall determine which types of licensed medical professionals are able to sign a medical certification needed to avoid the discontinuance of electric service pursuant to this section and shall establish conditions that shall apply to the prohibition on a discontinuance of electric service to a medical customer that shall include, but not be limited to, provisions requiring the medical customer to:

(1) provide reasonable proof of an inability to pay a utility bill on or before the bill’s due date; and

(2) submit a written licensed medical professional’s statement to the utility, stating:

(a) the existence of the medical customer’s use of life-sustaining equipment powered by electricity at the medical customer’s premises and the probable duration of that use;

(b) the nature of the condition of the medical customer and its probable duration, only if the disclosure of the information is not otherwise prohibited by law; and

(c) that the discontinuance of service to the medical customer will aggravate the condition of the medical customer.

C.48:2-29.50 Liability for payment of bill balance.

3. A medical customer who does not pay in full an electric public utility bill on or before the date the bill is due shall be liable for any bill payment balance for service rendered by the utility, in accordance with a utility's tariff.

C.48:2-29.51 Customer outreach plan.

4. The board shall direct each electric public utility to develop a customer outreach plan, subject to board approval, that shall inform customers of the process for qualifying as a medical customer pursuant to P.L.2019, c.154 (C.48:2-29.48 et seq.).

C.48:2-29.52 Excuse from compliance.

5. An electric public utility shall be excused from compliance with the provisions of section 2 of P.L.2019, c.154 (C.48:2-29.49) in the event of an emergency or if, despite compliance by the utility with the requirements of section 2 of P.L.2019, c.154 (C.48:2-29.49), the medical customer fails or refuses to respond to a request for information by the utility pursuant to section 2 of P.L.2019, c.154 (C.48:2-29.49).

C.48:2-29.53 Rules, regulations.

6. Notwithstanding any provisions of the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), the board shall, within 180 days after the enactment of P.L.2019, c.154 (C.48:2-29.48 et seq.), adopt rules and regulations implementing the provisions of P.L.2019, c.154 (C.48:2-29.48 et seq.). The rules and regulations adopted by the board shall be effective as rules and regulations immediately upon filing with the Office of Administrative Law and shall be effective for a period not to exceed 24 months, and may, thereafter, be amended, adopted, or readopted by the board pursuant to the provisions of the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.).

7. This act shall take effect on the 180th day after the date of enactment, except for section 6 of this act which shall take effect immediately.

Approved July 5, 2019.