

[First Reprint]

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, Nos. 4430 and 4555

STATE OF NEW JERSEY
218th LEGISLATURE

ADOPTED MAY 13, 2019

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SYNOPSIS

“Linda’s Law”; prohibits electric public utilities from discontinuing service to customers using life-sustaining equipment with verification of use of equipment.

CURRENT VERSION OF TEXT

As amended by the Senate on June 10, 2019.

(Sponsorship Updated As Of: 5/21/2019)

1 AN ACT concerning ¹**[certain]** electric¹ public utility service
2 discontinuances, and designated as “Linda’s Law,” and
3 supplementing Title 48 of the Revised Statutes.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. As used in P.L. , c. (C.) (pending before the
9 Legislature as this bill):

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

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

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

19 “Medical customer” means a residential electric public utility
20 customer of record who uses life-sustaining equipment powered by
21 electricity, as determined by the board, at the customer’s address
22 and affirmatively responds to a request for information pursuant to
23 subsection a. of section 2 of P.L. , c. (C.) (pending before
24 the Legislature as this bill).

25
26 2. a. An electric public utility shall request from every
27 residential customer, on a semi-annual basis, information,
28 determined by the board, as to whether the residential customer, or
29 any person living at the residential customer’s address, uses life-
30 sustaining equipment powered by electricity at the residential
31 customer’s address. If a residential customer responds to the
32 utility’s request for information indicating that the residential
33 customer or a person living at the residential customer’s address
34 uses life-sustaining equipment powered by electricity, the utility
35 shall designate that residential customer as a medical customer.

36 b. ¹**[An electric public utility shall not discontinue service to a**
37 **medical customer for utility bill nonpayment]** Discontinuance of
38 electric service for nonpayment is prohibited for a period of 90
39 days.¹ if a medical customer’s condition would be aggravated by a
40 discontinuance of electric service. ¹The board may extend the 90-
41 day period of time in which a discontinuance of electric service is
42 prohibited for an additional period of time for good cause.¹ The
43 board ¹shall determine which types of licensed medical
44 professionals are able to sign a medical certification needed to

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:

¹Senate floor amendments adopted June 10, 2019.

1 avoid the discontinuance of electric service pursuant to this section
2 and¹ shall establish conditions that shall apply to the prohibition on
3 a discontinuance of electric service to a medical customer that shall
4 include, but not be limited to, provisions requiring the medical
5 customer to:

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

8 (2) ¹['semi-annually']¹ submit a written ¹['physician's'] licensed
9 medical professional's¹ statement to the utility, stating:

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

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

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

18

19 3. A medical customer who does not pay in full an electric
20 public utility bill on or before the date the bill is due shall be liable
21 for any bill payment balance for service rendered by the utility, in
22 accordance with a utility's tariff. ¹['A utility shall be compensated
23 through rates for revenues lost in association with unpaid customer
24 balances.】¹

25

26 4. The board shall direct each electric public utility to develop
27 a customer outreach plan, subject to board approval, that shall
28 inform customers of the process for qualifying as a medical
29 customer pursuant to P.L. , c. (C.) (pending before the
30 Legislature as this bill).

31

32 5. An electric public utility shall be excused from compliance
33 with the provisions of section 2 of P.L. , c. (C.) (pending
34 before the Legislature as this bill) in the event of an emergency or
35 if, despite compliance by the utility with the requirements of section
36 2 of P.L. , c. (C.) (pending before the Legislature as this
37 bill), the medical customer fails or refuses to respond to a request
38 for information by the utility pursuant to section 2 of
39 P.L. , c. (C.) (pending before the Legislature as this bill).

40

41 ¹6. Notwithstanding any provisions of the "Administrative
42 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), the board
43 shall, within 180 days after the enactment of P.L. , c. (C.)
44 (pending before the Legislature as this bill), adopt rules and
45 regulations implementing the provisions of P.L. , c. (C.)
46 (pending before the Legislature as this bill). The rules and
47 regulations adopted by the board shall be effective as rules

1 regulations immediately upon filing with the Office of
2 Administrative Law and shall be effective for a period not to exceed
3 24 months, and may, thereafter, be amended, adopted, or readopted
4 by the board pursuant to the provisions of the “Administrative
5 Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.).¹

6

7 ¹[6.] 7.¹ This act shall take effect on the 180th day after the
8 date of enactment ¹, except for section 6 of this act which shall take
9 effect immediately¹.