SENATE, No. 2836

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED AUGUST 17, 2020

Sponsored by:
Senator CHRISTOPHER "KIP" BATEMAN
District 16 (Hunterdon, Mercer, Middlesex and Somerset)
Senator JAMES W. HOLZAPFEL
District 10 (Ocean)

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Senator A.M.Bucco

SYNOPSIS

Requires electric public utility to reimburse residential customer for cost of food and prescription medicine spoiled or compromised as a result of sustained electric service outage.

CURRENT VERSION OF TEXT

As introduced.

(Sponsorship Updated As Of: 8/20/2020)

AN ACT concerning reimbursement for certain costs resulting from a sustained electric public utility service outage and supplementing Title 48 of the Revised Statutes.

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

1. a. Beginning 90 days after the effective date of this act, an electric public utility shall reimburse a residential customer who experienced a sustained interruption in electric service for the amount the customer paid for any food and prescription medicine that spoiled or was compromised due to lack of refrigeration caused by the sustained interruption.

b. The reimbursement amount to a residential customer pursuant to subsection a. of this section shall be as follows:

(1) a customer whose food has spoiled due to a lack of refrigeration caused by a sustained interruption shall be entitled to a reimbursement of up to $500 for the amount paid for the food that spoiled. A customer who requests a reimbursement pursuant to this paragraph shall provide to the utility an itemized list of the spoiled food and proof of loss including, but not limited to, a cash register tape, store or credit card receipt, cancelled check, or photograph of the spoiled food item; and

(2) a customer whose prescription medicine has been compromised due to a lack of refrigeration caused by the sustained interruption shall be entitled to a reimbursement of up to $1,000 for the amount paid for the prescription medicine that was compromised. A customer who requests reimbursement pursuant to this paragraph shall provide to the utility an itemized list of the compromised prescription medicine and proof of loss, including, but not limited to, a pharmacy prescription label or pharmacy receipt identifying the medicine.

c. No later than 90 days after the effective date of this act, each electric public utility in the State shall develop and implement a system for customers of the utility to apply for a reimbursement online through the utility's Internet website. Applications for reimbursement shall be made in a form and manner as determined by the board. An electric public utility shall make a reimbursement to a customer no later 30 days after receipt of a customer's request.

d. The board may, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), adopt rules and regulations necessary for the implementation of this section.

e. As used in this section:

"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 in this State.

"Major event" means an occurrence arising from conditions beyond the control of an electric public utility that affect the operation of an electric public utility's distribution system, including, but not limited to, a thunderstorm, tornado, hurricane, flood, heat wave, snow storm, ice storm, earthquake, terrorist attack, or any other condition that the board determines, which results in a sustained interruption of electric public utility service.

"Sustained interruption" means the cessation of electric public utility service to one or more customers lasting more than 48 consecutive hours after the conclusion of a major event where the electric public utility service cessation was caused by that major event.

2. This act shall take effect immediately.

STATEMENT

This bill would require an electric public utility to reimburse a residential customer for the cost of food and prescription medicine that spoils or is compromised as a result of a sustained power outage.

Under the bill, a customer whose food spoils due to a lack of refrigeration caused by a sustained power outage would be entitled to a reimbursement of up to $500 for the amount paid for the food that spoiled. A customer whose prescription medicine is compromised due to a lack of refrigeration caused by a sustained power outage would be entitled to a reimbursement of up to $1,000 for the amount paid for the prescription medicine that is compromised. In both cases, a customer would be required to submit to the electric public utility an itemized list of losses and proof of loss, as specified in the bill.

No later than 90 days after the effective date of the bill, each electric public utility in the State would be required to develop and implement a system for customers of the electric public utility to apply for a reimbursement online via the electric public utility's Internet website. Applications for a reimbursement would be made in a form and manner as determined by the Board of Public Utilities. The board would be authorized to adopt rules and regulations necessary to implement the bill.