

# House Bill 2957

Sponsored by Representative NOSSE

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires water utilities, domestic water supply districts, people's utility districts and electric cooperatives to meet certain requirements before terminating residential service due to delinquent payment.

## A BILL FOR AN ACT

1  
2 Relating to residential utility service; creating new provisions; and amending ORS 264.314 and  
3 757.069.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 757.069 is amended to read:

6 757.069. (1) **Except as provided in subsection (2) of this section**, if a customer of a water  
7 utility fails to pay a water bill for more than 120 days after the bill becomes due, the water utility  
8 shall mail notice of the delinquency to the persons who are listed as the owners of the property in  
9 the real property tax records for the county only if the utility asserts that the property owners are  
10 responsible for the bill. The notice must be mailed to the addresses of the owners as reflected in the  
11 real property tax records.

12 **(2)(a) If a residential customer of a water utility fails to pay a water bill for more than**  
13 **15 days after the bill becomes due, the water utility shall:**

14 **(A) Mail notice of the delinquency and the date of any proposed termination of residential**  
15 **service in a manner reasonably calculated to reach the residential customer within a rea-**  
16 **sonable period of time before the proposed date of termination;**

17 **(B) Accept reasonable partial payment on the delinquent account and establish a rea-**  
18 **sonable payment schedule for any indebtedness, including a deposit, that the utility claims**  
19 **the residential customer owes for service at any residential address in lieu of termination**  
20 **of or refusal to provide service, and inform the customer of the provisions of this subsection;**

21 **(C) Inform those residential customers who cannot afford to pay their bills or deposits**  
22 **of the names and telephone numbers of the appropriate unit within the Department of Hu-**  
23 **man Services or other appropriate social service agencies that can help the customer inves-**  
24 **tigate what federal, state or private aid might be available to that customer; and**

25 **(D) Explain in the notice required by subparagraph (A) of this paragraph that a transfer**  
26 **of service from one premises to another within the utility's service area shall not be con-**  
27 **sidered a discontinuation of service.**

28 **(b) A water utility may not terminate residential service due to delinquent payment**  
29 **without first meeting the requirements of paragraph (a) of this subsection.**

30 [(2)] **(3) The provisions of this section apply to water utilities operated by public utilities,**  
31 **municipalities, cooperatives and unincorporated associations.**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.  
New sections are in **boldfaced** type.

**SECTION 2.** ORS 264.314 is amended to read:

264.314. (1) **Subject to subsection (2) of this section,** in case prompt payment of water rent or charge is not made, a district may shut off the water supply to the building, place or premises to which the district supplied the water.

**(2)(a) If a residential customer of a district fails to pay a water rent or charge for more than 15 days after the rent or charge becomes due, the district shall:**

**(A) Mail notice of the delinquency and the date of any proposed termination of residential service in a manner reasonably calculated to reach the residential customer within a reasonable period of time before the proposed date of termination;**

**(B) Accept reasonable partial payment on the delinquent account and establish a reasonable payment schedule for any indebtedness, including a deposit, that the district claims the residential customer owes for service at any residential address in lieu of termination of or refusal to provide service, and inform the customer of the provisions of this subsection;**

**(C) Inform those residential customers who cannot afford to pay their bills or deposits of the names and telephone numbers of the appropriate unit within the Department of Human Services or other appropriate social service agencies that can help the customer investigate what federal, state or private aid might be available to that customer; and**

**(D) Explain in the notice required by subparagraph (A) of this paragraph that a transfer of service from one premises to another within the district shall not be considered a discontinuation of service.**

**(b) A district may not terminate residential service due to delinquent payment without first meeting the requirements of paragraph (a) of this subsection.**

**SECTION 3.** Section 4 of this 2019 Act is added to and made a part of ORS chapter 261.

**SECTION 4.** (1) **If a residential customer of a people's utility district fails to pay a bill for residential utility service for more than 15 days after the bill becomes due, the district shall:**

**(a) Mail notice of the delinquency and the date of any proposed termination of residential service in a manner reasonably calculated to reach the residential customer within a reasonable period of time before the proposed date of termination;**

**(b) Accept reasonable partial payment on the delinquent account and establish a reasonable payment schedule for any indebtedness, including a deposit, that the district claims the residential customer owes for utility service at any residential address in lieu of termination of or refusal to provide utility service, and inform the customer of the provisions of this subsection;**

**(c) Inform those residential customers who cannot afford to pay their bills or deposits of the names and telephone numbers of the appropriate unit within the Department of Human Services or other appropriate social service agencies that can help the customer investigate what federal, state or private aid might be available to that customer; and**

**(d) Explain in the notice required by paragraph (a) of this subsection that a transfer of utility service from one premises to another within the district shall not be considered a discontinuation of utility service.**

**(2) A district may not terminate residential service due to delinquent payment without first meeting the requirements of subsection (1) of this subsection.**

**SECTION 5.** Section 6 of this 2019 Act is added to and made a part of ORS chapter 62.

**SECTION 6.** (1) **If a member of an electric cooperative fails to pay a bill for residential**

1 electricity service for more than 15 days after the bill becomes due, the electric cooperative  
2 shall:

3 (a) Mail notice of the delinquency and the date of any proposed termination of residential  
4 service in a manner reasonably calculated to reach the member within a reasonable period  
5 of time before the proposed date of termination;

6 (b) Accept reasonable partial payment on the delinquent account and establish a reason-  
7 able payment schedule for any indebtedness, including a deposit, that the electric cooperative  
8 claims the member owes for electricity service at any residential address in lieu of termi-  
9 nation of or refusal to provide electricity service, and inform the member of the provisions  
10 of this subsection;

11 (c) Inform those members who cannot afford to pay their bills or deposits of the names  
12 and telephone numbers of the appropriate unit within the Department of Human Services  
13 or other appropriate social service agencies that can help the member investigate what fed-  
14 eral, state or private aid might be available to that customer; and

15 (d) Explain in the notice required by paragraph (a) of this subsection that a transfer of  
16 electricity service from one premises to another within the electric cooperative shall not be  
17 considered a discontinuation of electricity service.

18 (2) An electric cooperative may not terminate residential electricity service due to de-  
19 linquent payment without first meeting the requirements of subsection (1) of this section.

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