

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021**

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**SENATE BILL 452
Agriculture, Energy, and Environment Committee Substitute Adopted 5/4/21**

Short Title: Utilities/User Responsible for Utility Bill. (Public)

Sponsors:

Referred to:

April 5, 2021

1 A BILL TO BE ENTITLED
2 AN ACT TO GENERALLY PROHIBIT A LOCAL GOVERNMENT THAT OPERATES A
3 PUBLIC ENTERPRISE FROM BILLING A LANDLORD FOR SERVICE PROVIDED TO
4 PREMISES THAT THE LANDLORD NO LONGER OWNS, LEASES, OR OCCUPIES.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.(a)** G.S. 153A-277 reads as rewritten:
7 **"§ 153A-277. Authority to fix and enforce rates.**

8 ...

9 (b1) A county shall not do any of the following in its debt collection practices:

10 (1) Suspend or disconnect service to a customer because of a past-due and unpaid
11 balance for service incurred by another person who resides with the customer
12 after service has been provided to the customer's household, unless one or
13 more of the following apply:

- 14 a. The customer and the person were members of the same household at
15 a different location when the unpaid balance for service was incurred.
16 b. The person was a member of the customer's current household when
17 the service was established, and the person had an unpaid balance for
18 service at that time.
19 c. The person is or becomes responsible for the bill for the service to the
20 customer.

21 (2) Require that in order to continue service, a customer must agree to be liable
22 for the delinquent account of any other person who will reside in the
23 customer's household after the customer receives the service, unless one or
24 more of the following apply:

- 25 a. The customer and the person were members of the same household at
26 a different location when the unpaid balance for service was incurred.
27 b. The person was a member of the customer's current household when
28 the service was established, and the person had an unpaid balance for
29 service at that time.

30 (3) Attempt to collect payment from a landlord, whether a natural person or a
31 company, for service to premises that the landlord no longer owns, leases, or
32 occupies, except where the service for which payment is sought was provided
33 during the time the landlord owned, leased, or occupied the premises. The
34 provisions of this subdivision shall apply notwithstanding any agreement that
35 existed between the landlord and the utility to reconnect service to the
36 premises during the time the landlord owned, occupied, or leased the property.



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2 SECTION 1.(b) G.S. 160A-314 reads as rewritten:

3 "§ 160A-314. Authority to fix and enforce rates.

4 ...

5 (b1) A city shall not do any of the following in its debt collection practices:

6 (1) Suspend or disconnect service to a customer because of a past-due and unpaid
7 balance for service incurred by another person who resides with the customer
8 after service has been provided to the customer's household, unless one or
9 more of the following apply:

10 a. The customer and the person were members of the same household at
11 a different location when the unpaid balance for service was incurred.

12 b. The person was a member of the customer's current household when
13 the service was established, and the person had an unpaid balance for
14 service at that time.

15 c. The person is or becomes responsible for the bill for the service to the
16 customer.

17 (2) Require that in order to continue service, a customer must agree to be liable
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19 customer's household after the customer receives the service, unless one or
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21 a. The customer and the person were members of the same household at
22 a different location when the unpaid balance for service was incurred.

23 b. The person was a member of the customer's current household when
24 the service was established, and the person had an unpaid balance for
25 service at that time.

26 (3) Attempt to collect payment from a landlord, whether a natural person or a
27 company, for service to premises that the landlord no longer owns, leases, or
28 occupies, except where the service for which payment is sought was provided
29 during the time the landlord owned, leased, or occupied the premises. The
30 provisions of this subdivision shall apply notwithstanding any agreement that
31 existed between the landlord and the utility to reconnect service to the
32 premises during the time the landlord owned, occupied, or leased the property.

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34 SECTION 2. This act is effective when it becomes law and applies to attempts to
35 collect payment on or after that date.