

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-0601/1dn  
MDK:jld:rs

December 15, 2010

Sen. Ellis:

This bill repeals the two-year deadline applicable to utility bills under current law and instead prohibits a utility from collecting on a bill that is not "timely," unless certain exceptions apply. The bill accomplishes this by requiring a utility to identify the month or other billing period for a bill, and prohibits a utility from collecting for a prior month or billing period, unless certain exceptions apply.

As for the exceptions, I retained the three exceptions under current law and created the following three additional exceptions: 1) the customer entered into an agreement with the utility for budgeting the customer's payment for the service; 2) the utility previously billed the customer for the service and the customer is delinquent in making payment for the service; and 3) the utility failed to accurately measure the service and the failure was caused, in whole or part, by an act or omission of the customer. Note the third exception that I created is intended to address the concern you raised in requesting this bill.

Also note that I delayed the effective date of the bill by approximately three months to give utilities time to change their billing practices.

If you have any questions or want any changes to the bill, please let me know.

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