

2013 DRAFTING REQUEST

Bill

Received: **11/26/2012** Received By: **emueller**
Wanted: **As time permits** Same as LRB:
For: **Frank Lasee (608) 266-3512** By/Representing: **Robert Kovach**
May Contact: Drafter: **emueller**
Subject: **Local Gov't - misc** Addl. Drafters:
Public Util. - misc. Extra Copies: **MDK, MES**

Submit via email: **YES**
Requester's email: **Sen.Lasee@legis.wisconsin.gov**
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Allow municipal utility to use tax intercept to collect an arrearage; other provisions related to municipal utility service to tenants

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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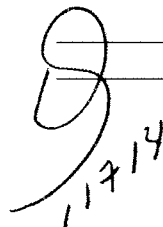
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For: **Frank Lasee (608) 266-3512** By/Representing: **Robert Kovach**
May Contact: Drafter: **emueller**
Subject: **Local Gov't - misc** Addl. Drafters:
Public Util. - misc. Extra Copies: **MDK, MES**

Submit via email: **YES**
Requester's email: **Sen.Lasee@legis.wisconsin.gov**
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

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Instructions:

See attached

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/P9 Emma 12/20/13

FE Sent For:

/P9 SAC 12/20/2013

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jmurphy 12/20

<END>

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*/P8 sac
12/09/2013*

*/P9 sac
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*jm
12/19*

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*sac
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1P6 ^{sum}
11/18/13

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1P6 sac
11/18/2013

1P6 sac
11/18/2013

PS + JM + LP
11/18

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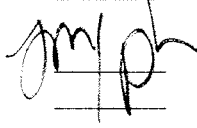
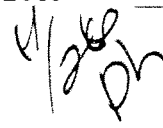
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FE Sent For:		1/22 sac 04/01/2013	2/13				

<END>

Mueller, Eric

From: Kovach, Robert
Sent: Friday, February 22, 2013 11:51 AM
To: Mueller, Eric
Subject: LRB-0613

Dear Eric,

I'm working on LRB-0613 now, so I wanted to get back to you about your drafters note. Starting with #1, we really want to create a mechanism for municipal utilities to collect unpaid utility services from non-owners, leaving the utilities able to collect from owners either through DOR tax intercept or lien on the real property.

require

In your drafters note, under number 6 you have some suggestions on more effective ways to encourage municipal utilities to use tax intercepts and liens against utility charges that are in arrears. Can you include that language in your next draft? The DOR income tax intercept should be allowable for the municipality to collect from the actual customer if different from the property owner. The intent is for the actual utility customer to be responsible for their utility usage, but in a case where the utility is unable to collect from the customer, then the owner would still pay. Because DOR income tax intercepts are in effect until they are satisfied, when the municipal utility eventually collects, they should reimburse the property owner. That intent dovetails with #4. Since income tax intercepts are linked to SSN, there shouldn't be huge problems with those types of intercepts.

Revise s196.37 to allow municipal public utilities to adopt different application, deposit, disconnection and collection rules and practices that distinguish between customers who own or lease the property that receives the utility service. The reason to differentiate here is the property owners are already subject to lien under 66.0809(3), but people who lease would only be subject to income tax intercept.

The approach in #5 is highly controversial and has caused similar legislation to fail in the last few sessions.

In drafter note #2, we don't need to require the owner to disclose the use of the property. It would generally be in the owner's best interest to do so. In cases where the landowner does not inform the utility that the utilities are consumed by lease holders, then the utility would be able to continue assessing unpaid utilities as a lien against the property, and the utility would not be subject to notification of unpaid bills to a separate landlord. (see recommended change below)

Another provision that Senator Lasee would like to see, is language that would require a person that has an unpaid municipal utility to pay in full an unpaid municipal utility bill before allowing that person to receive municipal utility services at a new address in the same municipal utility service area. I would like to see another version of this in a subsequent draft that I would like at the same time. If a tenant with an unpaid municipal utility bill applies for municipal utility service at another property that the municipality has been informed that the property is a rental, the municipal utility must give notice to the landlord that the tenant has other unpaid municipal utility bills.

We also would like to eliminate a municipal utility's obligation to offer deferred payment agreements. (PSC 185.38(6)) This just gives consumers more time to rack up bills that they don't intend to pay.

Recommended language change so tenants would be notified of unpaid municipal utility service:

Recommendation – Amend Wis. Stat. § 66.0809(5)(b) to require municipalities to notify the landlord within 14 days of the dates when the tenant's charges are past due.

(5)(b) If this subsection applies, a municipal public utility may use sub. (3) to collect arrearages incurred after the owner of a rental dwelling unit has provided the utility with written notice under par. (a) only if the municipality complies with at least one of the following:

~~66.0809(5)(b)1. 1. In order to comply with this subdivision, a municipal public utility shall send bills for water or electric service to a customer who is a tenant in the tenant's own name. Each time that a municipal public utility notifies a customer who is a tenant that charges for water or electric service provided by the utility to the customer are past due for more than one billing cycle, the utility shall also serve a copy of the notice on the owner of the rental dwelling unit in the manner provided in s. 801.14 (2). If a customer who is a tenant vacates his or her rental dwelling unit, and the owner of the rental dwelling unit provides the municipal public utility, no later than 21 days after the date on which the tenant vacates the rental dwelling unit, with a written notice that contains a forwarding address for the tenant and the date that the tenant vacated the rental dwelling unit, the utility shall continue to send past due notices to the customer at his or her forwarding address until the past due charges are paid or until notice has been provided under sub. (3).~~

66.0809(5)(b)2. ~~2.~~ 1. In order to comply with this subdivision, if a customer who is a tenant has charges for water or electric service provided by the utility that are past due, the municipal public utility shall serve notice of the past-due charges on the owner of the rental dwelling unit within 14 days of the date on which the tenant's charges became past due. The municipal public utility shall serve notice in the manner provided in s. 801.14 (2).

Also can you include language for this recommendation:

Recommendation – After 14 days of receiving the notice of tenant's past-due service charges for electric service under (5)(b)(1) above, the landlord may provide written notice to the municipal public electric utility to shut off service to the tenant. Within 14 days of receiving this notice, the municipal electric utility shall shut off electrical service unless the tenant has paid all past-due service charges.

This recommendation would not apply to water service.

Thank you for working on this bill for me. There is a lot to digest here, so don't hesitate to call to see if I can make any of this more clear.

Thanks again!

Rob Kovach

Policy Advisor/Committee Clerk
Office of Senator Frank Lasee
(608) 266-3512

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Prohibit municipal utility from applying an arrearage as a lien/tax on the property owner when the owner is not the utility customer.

Instructions:

See attached

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1/1	EVM 1/10/13	1/1 SAC 01/23/2013		1/23			

FE Sent For:

<END>

Mueller, Eric

From: LRB.Legal
Sent: Monday, November 26, 2012 7:40 AM
To: Kunkel, Mark; Mueller, Eric
Subject: FW: Drafting Request--Public Utilities placing liens on Property owners

From: Kovach, Robert
Sent: Friday, November 23, 2012 1:20 PM
To: LRB.Legal
Subject: Drafting Request--Public Utilities placing liens on Property owners

Dear LRB staff,

I would like a bill drafted that will prohibit Public (Municipal) utilities from applying unpaid bill balances to a lien on the property owner, if the utility bill wasn't in the name of the property owner.

For example: A tenant rents a home for a 1 year lease, and doesn't pay their municipal water and electric bill for 11 months. When the lease is up, the tenant moves to a different municipality. The municipal utility would typically apply that bill against the property owner/landlord instead of attempting to collect from the tenant.

We want the bill to prohibit that practice, and make it so only the person with whom the agreement is made with the utility and therefore consumes that utility is obligated to pay for those utilities.

We would like to include a provision in the bill that encourages the municipal utility to use their power as a municipality to use DOR tax intercept/liens to recover their funds from the individual that had the unpaid utilities in their name.

Please call me with any questions.

Rob Kovach
Chief of Staff
Office of Senator Frank Lasee
(608) 266-3512



FC (Crank)



SM

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

RMR

In 1/10/13

SEN

- 1 **AN ACT ...; relating to:** prohibiting municipal utilities from collecting certain
- 2 utility arrearages from owners of real property as property liens.

Analysis by the Legislative Reference Bureau

Under current law, if a municipal utility provides utility service to a property and payment for the service is in arrears, the utility may impose a lien on the property and have arrearages inserted as a tax on the property if the following procedure is followed. On October 15, the utility or county treasurer must provide the owner or occupant of the property with a written notice of payment due. The notice must specify the amount of the arrearage and any penalty and must state that: 1) if payment is not received by November 1, an additional penalty will be assessed; and 2) if payment is not received by November 15, the arrearage amount and any penalties will become a lien on the property that will be collected as a tax on the property. On November 16, the utility or treasurer must certify and file with the county clerk a list of all properties for which a notice of arrears was given and for which arrears remain unpaid. The delinquent amount then becomes a lien upon the property and the clerk must insert the delinquent amount and any penalties as a tax against the property.

Also under current law, if a municipal utility provides electric or water service to a rental dwelling unit and the owner of the rental property provides the utility with certain information, including the name and address of the tenant who is responsible for paying for utility service, the utility may use the arrearage collection procedure described above only if the utility follows certain additional procedures for notifying both the owner and the tenant about any payments that are past due.

This bill allows a municipal utility to use the arrearage collection procedure described above, only if the customer is the owner of the property for which there is an arrearage.

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

APS: City
Component

1
2

SECTION 1. 66.0809 (3) of the statutes is ^xamended to read: ^{renumbered 66.0809(3)(a) and}

66.0809 (3) (a) ^{plan} Except as provided in ~~subs.~~ sub. (4) and (5), on October 15 in each year notice shall be given to the customer and the owner or occupant of all the lots or parcels of real estate to which utility service has been furnished prior to October 1 by a public utility operated by a town, city or village and payment for which is owing and in arrears at the time of giving the notice. The department in charge of the utility shall furnish the treasurer with a list of the lots or parcels of real estate for which utility service charges are in arrears, and the notice shall be given by the treasurer, unless the governing body of the city, village, or town authorizes notice to be given directly by the department. The notice shall be in writing and shall state the amount of arrears, including any penalty assessed pursuant to the rules of the utility; that unless the amount is paid by November 1 a penalty of 10 percent of the amount of arrears will be added; and that, if the customer is the owner of the lot or parcel of real estate, unless the arrears, with any added penalty, are paid by November 15, the arrears and penalty will be levied as a tax against the lot or parcel of real estate to which utility service was furnished and for which payment is delinquent. The notice may be served by delivery to the customer and either the owner or occupant personally, or by letter addressed to the customer and owner or occupant at the post-office address of the lot or parcel of real estate.

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1 (b) On November 16, the officer or department issuing the notice shall certify
2 and file with the clerk a list of all lots or parcels of real estate, giving the legal
3 description, for which notice of arrears was given and for which arrears remain
4 unpaid, stating the amount of arrears and penalty. Each delinquent amount,
5 including the penalty, for which the customer is the owner of the lot or parcel of real
6 estate to which the utility service was furnished and payment for which is delinquent
7 becomes a lien upon the lot or parcel of real estate ~~to which the utility service was~~
8 ~~furnished and payment for which is delinquent~~, and the clerk shall insert the
9 delinquent amount and penalty as a tax against the lot or parcel of real estate.

10 (c) All proceedings in relation to the collection of general property taxes and to
11 the return and sale of property for delinquent taxes apply to the tax if it is not paid
12 within the time required by law for payment of taxes upon real estate.

13 (d) Under this subsection, if an arrearage is for utility service furnished and
14 metered by the utility directly to a manufactured home or mobile home unit in a
15 licensed manufactured and mobile home community, the notice shall be given to the
16 owner of the manufactured home or mobile home unit and the delinquent amount
17 becomes a lien on the manufactured home or mobile home unit rather than a lien on
18 the parcel of real estate on which the manufactured home or mobile home unit is
19 located. A lien on a manufactured home or mobile home unit may be enforced using
20 the procedures under s. 779.48 (2).

21 (e) This subsection does not apply to arrearages collected using the procedure
22 under s. 66.0627.

23 (f) In this subsection, "metered" means the use of any method to ascertain the
24 amount of service used or the use of a flat rate billing method.

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0613/P1dn

EVN sac

- date -

ATTN: Robert Kovach

Please review the attached draft carefully to ensure that it is consistent with your intent. The following are several issues you may wish to consider in your review of this draft.

1. This draft allows the creation of a lien for municipal utility arrearage only when the customer is the owner of the lot or parcel of real estate to which the utility service was furnished. The draft, thus, is not confined to the landlord/tenant situation in your example. Please let me know if you want a more limited draft.

2. This draft does not impose any requirement upon the owner of the real estate to provide the utility with information regarding the use of the property. The utility, therefore, may not be aware that the customer is a tenant or other non-owner until an actionable arrearage occurs. Current law provides some protection for landlords with tenants that are responsible for utility payments. ~~The provision requires a landlord to provide the name and address of the owner and tenant of the premises and allows the utility to request a copy of the rental agreement.~~ See s. 66.0809 (5), stats.

*This
current*

3. This draft adds a requirement that the municipal utility provide a notice of arrearage to the customer, since the customer may not always be the owner or occupant of the premises. The draft does not, however, change the requirement that an owner or occupant be provided with a notice. In many instances, therefore, a utility will be responsible for providing multiple notices. Please let me know if you want any changes to this portion of the draft.

4. As a caution, the changes made by this draft could permit some manipulation of the system. There are no restrictions in this draft regarding who may be a customer. It is possible, therefore, that customers in name only from whom collection may be difficult or impossible may be used to avoid the lien/property tax collection mechanism.

5. A more limited approach on the same general topic of your draft request can be found in 2011 AB 182. That draft would have prohibited a municipal utility from using the lien/property tax collection method when a tenant is responsible for utility payments and the landlord has provided a written notification of the name and address of the owner and the tenant.

6. The final paragraph of your request suggests a provision encouraging a utility to use DOR tax intercepts/liens to recover funds. LRB policy, however, is to not include

material that does not have legal effect in the statutes. This draft, therefore, does not include anything effectuating this portion of your request. Some more effectual possibilities for meeting your intent may be to require use of tax intercepts/liens when possible, require assessment of a utility's use of tax intercepts/liens in reports or audits, or requiring the PSC or DOR to provide information to municipal utilities regarding the availability of tax intercepts/liens.

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible "/1" draft.

Eric V. Mueller
Legislative Attorney
Phone: (608) 261-7032
E-mail: eric.mueller@legis.wisconsin.gov

2013 DRAFTING REQUEST

Bill

Received:	11/26/2012	Received By:	emueller
Wanted:	As time permits	Same as LRB:	
For:	Frank Lasee (608) 266-3512	By/Representing:	Robert Kovach
May Contact:		Drafter:	emueller
Subject:	Local Gov't - misc Public Util. - misc.	Addl. Drafters:	
		Extra Copies:	MDK, MES

Submit via email: YES
Requester's email: Sen.Lasee@legis.wisconsin.gov
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Prohibit municipal utility from applying an arrearage as a lien/tax on the property owner when the owner is not the utility customer.

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	emueller	/PI sac 01/23/2013		_____			

FE Sent For:

<END>

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0613/P1dn
EVM:sac:jf

January 23, 2013

ATTN: Robert Kovach

Please review the attached draft carefully to ensure that it is consistent with your intent. The following are several issues you may wish to consider in your review of this draft.

1. This draft allows the creation of a lien for municipal utility arrearage only when the customer is the owner of the lot or parcel of real estate to which the utility service was furnished. The draft, thus, is not confined to the landlord/tenant situation in your example. Please let me know if you want a more limited draft.
2. This draft does not impose any requirement upon the owner of the real estate to provide the utility with information regarding the use of the property. The utility, therefore, may not be aware that the customer is a tenant or other non-owner until an actionable arrearage occurs. Current law provides some protection for landlords with tenants that are responsible for utility payments. This current provision requires a landlord to provide the name and address of the owner and tenant of the premises, and allows the utility to request a copy of the rental agreement. See s. 66.0809 (5), stats.
3. This draft adds a requirement that the municipal utility provide a notice of arrearage to the customer, since the customer may not always be the owner or occupant of the premises. The draft does not, however, change the requirement that an owner or occupant be provided with a notice. In many instances, therefore, a utility will be responsible for providing multiple notices. Please let me know if you want any changes to this portion of the draft.
4. As a caution, the changes made by this draft could permit some manipulation of the system. There are no restrictions in this draft regarding who may be a customer. It is possible, therefore, that customers in name only from whom collection may be difficult or impossible may be used to avoid the lien/property tax collection mechanism.
5. A more limited approach on the same general topic of your draft request can be found in 2011 AB 182. That draft would have prohibited a municipal utility from using the lien/property tax collection method when a tenant is responsible for utility payments and the landlord has provided a written notification of the name and address of the owner and the tenant.
6. The final paragraph of your request suggests a provision encouraging a utility to use DOR tax intercepts/liens to recover funds. LRB policy, however, is to not include

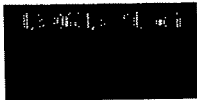
material that does not have legal effect in the statutes. This draft, therefore, does not include anything effectuating this portion of your request. Some more effectual possibilities for meeting your intent may be to require use of tax intercepts/liens when possible, require assessment of a utility's use of tax intercepts/liens in reports or audits, or requiring the PSC or DOR to provide information to municipal utilities regarding the availability of tax intercepts/liens.

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible "1" draft.

Eric V. Mueller
Legislative Attorney
Phone: (608) 261-7032
E-mail: eric.mueller@legis.wisconsin.gov

Barman, Mike

From: Barman, Mike
Sent: Wednesday, January 30, 2013 7:56 AM
To: Rep.Jacque
Cc: Sen.Lasee
Subject: FW: lrb-0613/p1 (attached - from Sen. Lasee's office)



Mike Barman (Lead Program Assistant)

State of Wisconsin - Legislative Reference Bureau - Legal Section - Front Office

1 East Main Street, Suite 200, Madison, WI 53703

(608) 266-3561 / mike.barman@legis.wisconsin.gov

From: LRB.Legal
Sent: Wednesday, January 30, 2013 7:47 AM
To: Kovach, Robert
Subject: RE: lrb-0613/p1

OK ... per your request.

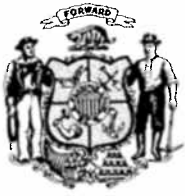
From: Kovach, Robert
Sent: Tuesday, January 29, 2013 6:25 PM
To: LRB.Legal
Subject: lrb-0613/p1

Can you forward a copy of this bill to rep.jacque@legis.wi.gov

Thanks!

Rob Kovach

Policy Advisor/Committee Clerk
Office of Senator Frank Lasee
(608) 266-3512



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-0613/P1

EVM:sac

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

INSECT

in 4-1-13

RMR

repeal

- 1
- 2
- 3

AN ACT to repeal 66.0809 (5); and to renumber and amend 66.0809 (3) of the

statutes; relating to: prohibiting municipal utilities from collecting certain

utility arrearages from owners of real property as property liens

by a municipal utility and the provision of municipal utility service to tenants

Analysis by the Legislative Reference Bureau

Under current law, if a municipal utility provides utility service to a property and payment for the service is in arrears, the utility may impose a lien on the property and have arrearages inserted as a tax on the property if the following procedure is followed. On October 15, the utility or county treasurer must provide the owner or occupant of the property with a written notice of payment due. The notice must specify the amount of the arrearage and any penalty and must state that: 1) if payment is not received by November 1, an additional penalty will be assessed; and 2) if payment is not received by November 15, the arrearage amount and any penalties will become a lien on the property that will be collected as a tax on the property. On November 16, the utility or treasurer must certify and file with the county clerk a list of all properties for which a notice of arrears was given and for which arrears remain unpaid. The delinquent amount then becomes a lien upon the property and the clerk must insert the delinquent amount and any penalties as a tax against the property.

Also under current law, if a municipal utility provides electric or water service to a rental dwelling unit and the owner of the rental property provides the utility with certain information, including the name and address of the tenant who is responsible for paying for utility service, the utility may use the arrearage collection procedure described above only if the utility follows certain additional procedures for notifying both the owner and the tenant about any payments that are past due.

This bill allows a municipal utility to use the arrearage collection procedure described above, only if the customer is the owner of the property for which there is an arrearage.

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

state and LPS: tax component

INS Analysis

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 SECTION 1. 66.0809 (3) of the statutes is renumbered 66.0809 (3) (a) and
2 amended to read:

with strike

3 66.0809 (3) (a) Except as provided in ~~subs. sub. (4) and (5)~~, on October 15 in each
4 year notice shall be given to the customer and the owner or occupant of all the lots
5 or parcels of real estate to which utility service has been furnished prior to October
6 1 by a public utility operated by a town, city, or village and payment for which is
7 owing and in arrears at the time of giving the notice. The department in charge of
8 the utility shall furnish the treasurer with a list of the lots or parcels of real estate
9 for which utility service charges are in arrears, and the notice shall be given by the
10 treasurer, unless the governing body of the city, village, or town authorizes notice to
11 be given directly by the department. The notice shall be in writing and shall state
12 the amount of arrears, including any penalty assessed pursuant to the rules of the
13 utility; that unless the amount is paid by November 1 a penalty of 10 percent of the
14 amount of arrears will be added; and that if the customer is the owner of the lot or
15 parcel of real estate, unless the arrears, with any added penalty, are paid by
16 November 15, the arrears and penalty will be levied as a tax against the lot or parcel
17 of real estate to which utility service was furnished and for which payment is
18 delinquent. The notice may be served by delivery to the customer and either the

1 owner or occupant personally, or by letter addressed to the customer and owner or
2 occupant at the post-office address of the lot or parcel of real estate.

3 (b) On November 16, the officer or department issuing the notice shall certify
4 and file with the clerk a list of all lots or parcels of real estate, giving the legal
5 description, for which notice of arrears was given and for which arrears remain
6 unpaid, stating the amount of arrears and penalty. Each delinquent amount,
7 including the penalty, for which the customer is the owner of the lot or parcel of real
8 estate to which the utility service was furnished and payment for which is delinquent
9 becomes a lien upon the lot or parcel of real estate to which the utility service was
10 furnished and payment for which is delinquent, and the clerk shall insert the *under*
11 delinquent amount and penalty as a tax against the lot or parcel of real estate. *still*

12 (c) All proceedings in relation to the collection of general property taxes and to
13 the return and sale of property for delinquent taxes apply to the tax if it is not paid
14 within the time required by law for payment of taxes upon real estate.

15 (d) Under this subsection, if an arrearage is for utility service furnished and
16 metered by the utility directly to a manufactured home or mobile home unit in a
17 licensed manufactured and mobile home community, the notice shall be given to the
18 owner of the manufactured home or mobile home unit and the delinquent amount
19 becomes a lien on the manufactured home or mobile home unit rather than a lien on
20 the parcel of real estate on which the manufactured home or mobile home unit is
21 located. A lien on a manufactured home or mobile home unit may be enforced using
22 the procedures under s. 779.48 (2).

23 (e) This subsection does not apply to arrearages collected using the procedure
24 under s. 66.0627.

1 (f) In this subsection, "metered" means the use of any method to ascertain the
2 amount of service used or the use of a flat rate billing method.

3 SECTION 2. 66.0809 (5) of the statutes is repealed.

4 (END)

INS
4-4

DNB+c

1 dwelling unit from that utility, the municipal public utility shall do all of the
2 following:

- 3 1. Refuse to provide utility service to the person.
- 4 2. Inform the owner of the rental dwelling unit that the person has outstanding
5 past-due utility service charges.

6 **SECTION 7.** 66.0809 (7) of the statutes is created to read:

7 66.0809 (7) A municipal utility is not required to offer a customer a deferred
8 payment agreement.

9 **SECTION 8.** 66.0809 (8) of the statutes is created to read:

10 66.0809 (8) A municipal utility may adopt application, deposit, disconnection,
11 or collection rules and practices that distinguish between customers based upon
12 whether the customer owns or leases the property receiving utility service.

13 **SECTION 9. Initial applicability.**

14 (1) The treatment of sections 66.0809 (3) and (5) (b) (intro.), 1., and 2. of the
15 statutes first applies to arrearages incurred on the effective date of this subsection.

16 (2) The treatment of section 66.0809 (6) of the statutes first applies to a request
17 for utility service made on the effective date of this subsection.

Insert 3-12 JK