



2023 ASSEMBLY BILL 670

November 27, 2023 - Introduced by Representatives J. ANDERSON, BARE, CLANCY, CONSIDINE, EMERSON, JACOBSON, JOERS, MADISON, MOORE OMOKUNDE, OHNSTAD, PALMERI, RATCLIFF, SHELTON, SINICKI and STUBBS, cosponsored by Senators AGARD, CARPENTER and TAYLOR. Referred to Committee on Energy and Utilities.

- 1 **AN ACT to create** 196.94 of the statutes; **relating to:** prohibiting certain utility
2 service disconnections for nonpayment.

Analysis by the Legislative Reference Bureau

This bill prohibits a public utility from disconnecting, between November 1 and April 15, a utility service that provides the primary heat source or energy source affecting the primary heat source for a residential dwelling occupied by a household whose gross quarterly income is 250 percent or less of the federal poverty guidelines or with an individual whose health and safety would be endangered by disconnection because of old age or youth. The bill applies to disconnections for nonpayment of utility services but allows disconnections for any of the following reasons: 1) for remodeling or repairs; 2) for violating rules by using the service in a manner that interferes with the service of others or by using nonstandard equipment; 3) if a dangerous conditions exists; or 4) upon reasonable evidence that service is obtained by potentially unsafe devices or methods that interfere with proper metering of the service.

Under current law, the Public Service Commission is authorized to promulgate rules establishing service requirements for public utility services, and PSC has exercised that authority to promulgate rules similar to the bill's prohibition on utility service disconnections between November 1 and April 15.

The bill also prohibits public utilities from disconnecting a utility service that provides the primary energy source or energy source affecting the primary heat or cooling source for a residential dwelling occupied by a person with a disability. The

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prohibition applies to disconnections for nonpayment of utility services and contains the exceptions described earlier.

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

1 **SECTION 1.** 196.94 of the statutes is created to read:

2 **196.94 Prohibition on certain utility service disconnections. (1) (a)**

3 Except as provided in sub. (2), during the period from November 1 to April 15, no
4 public utility may disconnect a utility service that provides the primary heat source
5 or energy source affecting the primary heat source for a residential dwelling unit
6 occupied by any of the following for nonpayment of the utility service:

7 1. A household whose gross quarterly income does not exceed 250 percent of the
8 federal income poverty guidelines under 42 USC 9902 (2).

9 2. A household with an individual whose health and safety would be
10 endangered by disconnection because of the infirmities of age or the frailties of being
11 very young.

12 (b) Except as provided in sub. (2), no public utility may disconnect a utility
13 service that provides the primary energy source or energy source affecting the
14 primary heat or cooling source for a residential dwelling unit occupied by a person
15 with a disability for nonpayment of the utility service.

16 **(2)** A public utility may disconnect a utility service under any of the following
17 circumstances:

18 (a) For remodeling or repairs.

19 (b) If the public utility first notifies the customer and provides the customer
20 with a reasonable opportunity to remedy the situation, for a customer's violation of

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1 the public utility's rules pertaining to the use of service in a manner that interferes
2 with the service of others or pertaining to the operation of nonstandard equipment.

3 (c) If a dangerous condition exists, for as long as the condition exists.

4 (d) If the public utility has reasonable evidence that a customer is obtaining
5 utility service by potentially unsafe devices or potentially unsafe methods that stop
6 or interfere with the proper metering of the utility service.

7 (END)