

April 9, 2009

H 1330. UTILITIES/COLLECTORS/DEBT COLLECTION. Filed 4/8/09. *PROHIBITING PUBLIC UTILITIES AND CITIES AND COUNTIES THAT OPERATE PUBLIC ENTERPRISES FROM USING CERTAIN DEBT COLLECTION PRACTICES THAT RESULT IN A CUSTOMER BEING LIABLE FOR THE PAST DUE AND UNPAID DEBTS OF ANOTHER PERSON, AND PROHIBITING COLLECTION AGENCIES AND DEBT COLLECTORS FROM COLLECTING OR ATTEMPTING TO COLLECT A DEBT BY CLAIMING THAT A CONSUMER IS LEGALLY RESPONSIBLE FOR THE DEBTS OF ANOTHER PERSON.*

Enacts new GS 62-159.1 to provide that a public utility may collect a delinquent account only from the customer to whom the utility has agreed to provide service in a written or verbal agreement, and to prohibit a public utility from (1) denying, suspending, or disconnecting service to a customer because of a past due and unpaid balance for service incurred by another person who resides with the customer at the time the customer applies for service or who will reside with the customer after service has been provided to the customer's household, (2) transferring the delinquent obligation of another person to the customer's account, (3) requiring an applicant for service to provide information regarding the names, relationship to the applicant, or social security numbers of other adults living in the applicant's household, or (4) requiring, as a condition of receiving or continuing service, an applicant or customer to agree to be liable for the delinquent account of any other person who resides or will reside in the applicant's or customer's household. Allows a public utility to collect a delinquent account from a customer who misrepresents his or her identity in a written or verbal agreement for service or receives service using another person's identity. Makes corresponding amendments to GS 153A-277 and GS 160A-314 regarding cities and counties that operate public enterprises. Makes conforming amendments to GS 58-70-110 and GS 75-74. Effective July 1, 2009.

Intro. by Bryant.

GS 62, 153A, 160A, 58, 75

May 4, 2009

H 1330. UTILITIES/COLLECTORS/DEBT COLLECTION. Filed 4/8/09. House committee substitute makes the following changes to 1st edition. Amends proposed GS 62-159.1 to prohibit a public utility from (1) suspending or disconnecting (was, denying, suspending, or disconnecting) service to a customer, after service has been provided to the customer's household, because another person who lives with the customer has a past due and unpaid balance for service, unless the person owing the unpaid balance becomes billing responsible; or (2) requiring that a customer agree to be liable for the delinquent account of another person who *will* reside in the customer's household after the customer receives service in order to continue service (was, receive or continue service). Provides an exemption to the prohibitions if one or more of the following apply: (1) the customer and the person owing the balance were members of the same household at a different location when the unpaid balance was incurred; or (2) the person owing the unpaid balance was a member of the current customer's household when the service was established and had an unpaid balance for service at that time. Removes prohibition of transferring the delinquent obligation of another to the customer's account and on requiring or reciting specified information about other adults living in the applicant's household. Makes corresponding amendments to GS 153A-277 and GS 160A-314 regarding cities and counties that operate public enterprises. Makes conforming changes to GS 58-70-110 and GS 75-54 to prohibit collection agencies and debt collectors from communication with the consumer in violation of the proposed provisions of GS 62-159.1(a), 153A-277(b1), or 160A-314(b1). Amends the title.

May 13, 2009

H 1330. UTILITIES/COLLECTORS/DEBT COLLECTION. Filed 4/8/09. House committee substitute makes the following changes to 2nd edition. Includes electric membership corporations and telephone membership corporations within the coverage of proposed new GS 62-159.1 pertaining to debt collection practices. Modifies the prohibitions on city and county debt collection practices added by prior edition to GS 153A-277 and GS 160A-314 to delete that a county or city, respectively, is prohibited from suspending or disconnecting service to a customer unless the

person is or becomes billing responsible. Makes technical changes. Make conforming changes to text and title.

May 14, 2009

H 1330. UTILITIES/COLLECTORS/DEBT COLLECTION . Filed 4/8/09. House amendment makes the following changes to 3rd edition. Clarifies that the prohibition against suspending or disconnecting service to a customer because of a past due and unpaid balance for service incurred by another person does not apply when that person is or becomes responsible for the bill for service to the customer.

June 25, 2009

H 1330. UTILITIES/COLLECTORS/DEBT COLLECTION. Filed 4/8/09. Senate committee substitute makes the following changes to 4th edition. Amends GS 153A-277 (pertaining to counties) and GS 160A-314 (pertaining to cities) to add to the instances when the prohibition against suspending or disconnecting service to a customer because of a past due and unpaid balance for service incurred by another person residing with the customer does not apply to include when the person who has the past due and unpaid balance is or becomes responsible for the bill for service to the customer.

June 29, 2009

H 1330. UTILITIES/COLLECTORS/DEBT COLLECTION. Filed 4/8/09. Senate amendment makes the following changes to 5th edition. Changes the effective date from July 1, 2009, to when the act becomes law.

July 20, 2009

SL 2009-302 (H 1330). UTILITIES/COLLECTORS/DEBT COLLECTION. AN ACT PROHIBITING PUBLIC UTILITIES, ELECTRIC MEMBERSHIP CORPORATIONS, TELEPHONE MEMBERSHIP CORPORATIONS, AND CITIES AND COUNTIES THAT OPERATE PUBLIC ENTERPRISES FROM USING CERTAIN DEBT COLLECTION PRACTICES THAT RESULT IN A CUSTOMER BEING LIABLE FOR THE PAST DUE AND UNPAID DEBTS OF ANOTHER PERSON. Summarized in *Daily Bulletin* 4/9/09, 5/4/09, 5/13/09, 5/14/09, 6/25/09, and 6/29/09. Enacted July 17, 2009. Effective July 17, 2009.