

## SB340 INTRODUCED



1 SB340  
2 CXY8BJW-1  
3 By Senators Hatcher, Stewart, Coleman-Madison, Coleman,  
4 Singleton, Beasley  
5 RFD: County and Municipal Government  
6 First Read: 22-Apr-25



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4 SYNOPSIS:

5           This bill would provide prohibitions on the  
6           disconnection of utility services to customers under  
7           certain conditions, including during extreme heat or  
8           cold weather, during a state of emergency, when the  
9           household has children under 12 years of age or elderly  
10          individuals, or when the household has an active  
11          service member or veteran.

12           This bill would also authorize civil remedies  
13          for a violation, including civil damages and a civil  
14          penalty.

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17                           A BILL  
18                           TO BE ENTITLED  
19                           AN ACT

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21          Relating to utilities; to provide prohibitions on the  
22          disconnection of utility services to customers under certain  
23          conditions; and to authorize civil damages for a violation.

24 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

25          Section 1. (a) As used in this section, the following  
26          terms have the following meanings:

27               (1) CHILD or CHILDREN. An individual under 12 years of  
28          age residing in the household.



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(2) ELDERLY. An individual 65 years of age or more.

(3) EXTREME WEATHER CONDITIONS. Any of the following:

a. A forecasted heat index of 97 degrees Fahrenheit or more.

b. A forecasted temperature of 32 degrees Fahrenheit or below.

c. Any state of emergency involving weather events, including, but not limited to, hurricanes, tornadoes, or other conditions that are hazardous to public health and safety.

(4) MEDICAL HARDSHIP. A serious threat to the health or safety of the customer or a resident of the household.

(b) If a residential customer of an electric or gas utility regulated by the Alabama Public Service Commission, or a cooperative organized and operating under Chapter 6 of Title 37 of the Code of Alabama 1975, or an electric or gas utility that is a municipal power district organized and operating under Chapter 5 of Title 37 of the Code of Alabama 1975, is subject to any of the following circumstances, the residential customer shall be deemed to be a protected household and the utility may not knowingly disconnect the utility services to the customer for nonpayment:

(1) When the forecasted heat index is at least 97 degrees Fahrenheit within 48 hours of the scheduled disconnection.

(2) When the forecasted temperature is at or below 32 degrees Fahrenheit within 48 hours of the scheduled disconnection.

(3) During a declared state of emergency related to



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extreme weather conditions or a public health crisis, until 48 hours after the emergency declaration has been lifted.

(4) When the utility has been provided with medical documentation by a licensed physician stating the disconnection of utility services will pose a serious threat to the health or safety of the customer or a resident of the household.

(5) When the household has a child under 12 years of age or an elderly individual 65 years of age or older.

(6) When the household includes active military personnel or veterans.

(7) If the total arrearage amount is less than one hundred dollars (\$100).

(8) For tenants, when the disconnection arises from the failure of the landlord to pay a utility bill.

(c) If a utility disconnects utility services of a protected household under any circumstance described in subsection (b), upon notice to the utility, the utility shall promptly reestablish the service and shall waive all applicable reconnection fees and late fees. The Alabama Public Service Commission, each electric or gas cooperative organized and operating under Chapter 6 of Title 37, Code of Alabama 1975, and each municipal electric or gas utility selling electricity or gas to residential customers in Alabama shall adopt policies and procedures to enable a protected household to give notice to a utility under this section.

(d) Utilities shall provide clear, written notification of disconnection policies to their customers, including, but



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not limited to, options for deferred payment plans and available assistance programs both: (i) at the time of account establishment; and (ii) with every notice of nonpayment or impending disconnection.

(e) A disconnection notice given to a utility's customer must be issued at least 10 days before disconnection for any reason and provided through at least two of the following methods:

- (1) U.S. Mail.
- (2) Email.
- (3) Telephone.
- (4) Text message.
- (5) Door hanger.

(f) In order to claim a medical hardship for purposes of this section, a customer shall submit to the utility a certification of the hardship from a licensed physician attesting to the potential health risks posed by service disconnection. The certification must be renewed every 12 months unless otherwise the medical condition giving rise to the hardship is a permanent or chronic condition as specified by the certifying physician.

(g)(1) A utility that violates this act shall be liable for civil damages, including all of the following:

- a. Actual costs incurred by the disconnected customer.
- b. Up to one thousand dollars (\$1,000) for each violation.
- c. Reasonable attorney fees.
- d. Court costs.



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113           (2) A customer aggrieved by a violation of this act may  
114 seek injunctive relief to prevent an unlawful disconnection.

115           (h) A utility shall publish its disconnection policies  
116 prominently on its website and make the policies available in  
117 printed form upon a customer's request.

118           (i) The Alabama Public Service Commission shall  
119 maintain a publicly accessible database on its website of  
120 complaints received within the past 10 years for violations  
121 related to utility disconnections under this act.

122           Section 2. This act shall become effective on October  
123 1, 2025.