

P.L. 2003, CHAPTER 247, *approved January 14, 2004*
Senate Committee Substitute for
Assembly, No. 252

1 **AN ACT** concerning late payment charges for service by utilities and cable
2 television companies and supplementing Title 48 of the Revised
3 Statutes.

4

5 **BE IT ENACTED** by the Senate and General Assembly of the State of
6 *New Jersey*:

7

8 1. a. Notwithstanding the provisions of any law, rule, regulation or
9 order to the contrary, the board shall not allow a utility to assess a late
10 payment charge on an unpaid bill unless such charge is provided for in the
11 utility's applicable rate schedule approved by the board. A late payment
12 charge shall not be approved by the board if it is applicable to bills less
13 than 25 days after rendering. A late payment charge shall not be approved
14 for a rate schedule applicable to a State, county or municipal government
15 entity or any residential ratepayer.

16 As used in this subsection, a "utility" means a public utility, as public
17 utility is defined in R.S.48:2-13 and including a natural gas pipeline utility
18 as natural gas pipeline utility is defined in section 2 of P.L.1952, c.166
19 (C.48:10-3), and a municipally-operated utility, insofar as the board's
20 jurisdiction is extended to the municipally-operated utility under any
21 applicable law.

22 b. The board may adopt, pursuant to the "Administrative Procedure
23 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations
24 necessary to effectuate the purposes of subsection a. of this section.

25

26 2. a. Notwithstanding the provisions of any law, rule, regulation or
27 order to the contrary, the board shall not allow a cable television company
28 that provides cable television reception service within this State and is
29 subject to the jurisdiction of the board, to approve a specified due date for
30 payments for such service that is less than 15 days from the date of the
31 bill. In the event a cable television company imposes an additional fee,
32 charge or penalty to a subscriber for billing balances which are considered
33 past due or late, the cable television company shall clearly specify the
34 amount of the fee, charge or penalty on the subscriber's bill. The cable
35 television company shall also specify the method of calculation of the fee,
36 charge or penalty on the subscriber's bill. A cable television company shall
37 not impose an additional fee, charge or penalty on any account balance of
38 such subscriber that is less than 30 days past due or late.

39 b. The board may adopt, pursuant to the "Administrative Procedure
40 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations
41 necessary to effectuate the purposes of subsection a. of this section.

1 3. This act shall take effect immediately.

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6 Prohibits utilities from assessing late payment charges to certain
7 customers and prohibits CATV companies from assessing late payment
8 charges less than 30 days past due date of subscriber's bill.

ASSEMBLY, No. 252

STATE OF NEW JERSEY 210th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2002 SESSION

Sponsored by:

Assemblyman PETER J. BARNES, JR.

District 18 (Middlesex)

Assemblyman PATRICK DIEGNAN, JR.

District 18 (Middlesex)

Co-Sponsored by:

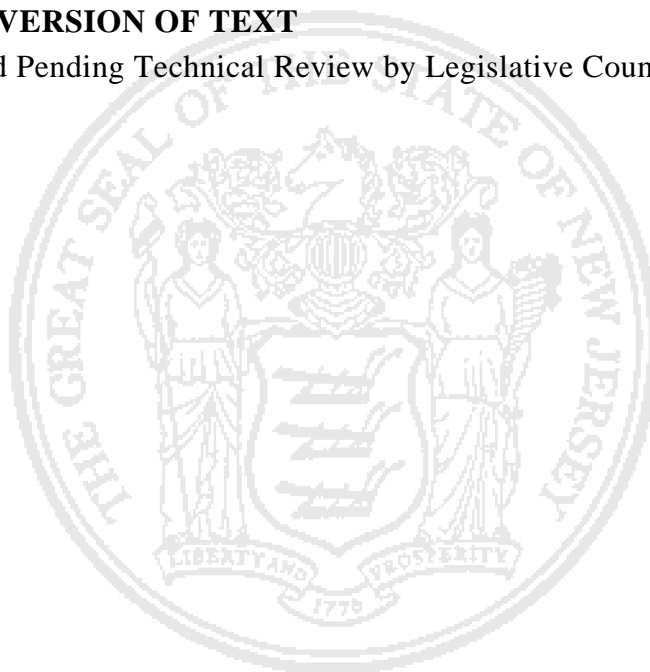
Assemblyman Eagler

SYNOPSIS

Requires certain public utilities, telephone companies and cable television companies to establish 30-day payment plans for senior citizens.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 3/5/2002)

1 AN ACT concerning payment of gas and electric utility, telephone and
2 cable television service bills by senior citizens and supplementing
3 Title 48 of the Revised Statutes.

4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

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8 1. a. Notwithstanding the provisions of P.L.1999, c.23 (C.48:3-49
9 et seq.) or any other law, rule, regulation or order to the contrary, a
10 public utility providing basic generation or basic gas supply service,
11 pursuant to P.L.1999, c.23 (C.48:3-49 et seq.), shall establish a
12 payment plan that allows senior citizens at least 30 days from the date
13 of their utility bill to submit their payment to the utility without
14 incurring late fees, interest or penalties of any kind. As used in this
15 section, "senior citizen" means any person 62 years of age or older
16 who is a customer of a public utility providing basic generation service
17 or gas supply service to the senior citizen.

18 b. The Board of Public Utilities shall adopt, pursuant to the
19 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
20 seq.), rules and regulations necessary to effectuate the purposes of
21 subsection a. of this section.

22

23 2. a. Notwithstanding the provisions of P.L.1948, c.90 (C.48:2-1
24 et seq.) or any other law, rule, regulation or order to the contrary, a
25 telephone company which is subject to the jurisdiction of the Board of
26 Public Utilities and provides telephone services within this State, shall
27 establish a payment plan that allows senior citizens at least 30 days
28 from the date of their telephone bill to submit their payment to the
29 telephone company without incurring late fees, interest or penalties of
30 any kind. As used in this section, "senior citizen" means any person
31 62 years of age or older who is a customer of a telephone company
32 providing telephone services to the senior citizen.

33 b. The Board of Public Utilities shall adopt, pursuant to the
34 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
35 seq.), rules and regulations necessary to effectuate the purposes of
36 subsection a. of this section.

37

38 3. a. Notwithstanding the provisions of P.L.1972, c.186 (C.48:5A-
39 1 et seq.) or any other law, rule, regulation or order to the contrary,
40 a cable television company which provides cable television services
41 within this State, shall establish a payment plan that allows senior
42 citizens at least 30 days from the date of their cable television bill to
43 submit their payment to the cable television company without incurring
44 late fees, interest or penalties of any kind. As used in this section,
45 "senior citizen" means any person 62 years of age or older who is a
46 customer of a cable television company providing cable television

1 services to the senior citizen.

2 b. The director with the approval of the board shall adopt, pursuant
3 to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1
4 et seq.), rules and regulations necessary to effectuate the purposes of
5 subsection a. of this section.

6

7 4. This act shall take effect 60 days following enactment.

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10 STATEMENT

11

12 This bill requires certain public utilities providing basic (electric)
13 generation or basic gas supply service, telephone companies providing
14 telephone services and cable television companies providing cable
15 television services to establish payment plans that allow senior citizens
16 at least 30 days from the date of utility, telephone and cable television
17 bills to submit payment to a utility, telephone company or cable
18 television company without incurring late fees, interest or penalties of
19 any kind.

20 Senior citizens living on a fixed incomes are often unable to pay
21 their utility, telephone and cable television bills in less than 30 days
22 because of their reliance on monthly social security or pension income.
23 The intent of this bill is to provide at least 30 days from the date of
24 utility, telephone or cable television bills for senior citizens to submit
25 payments in order to allow them sufficient time to meet their financial
26 obligations for these services.

ASSEMBLY TELECOMMUNICATIONS AND UTILITIES
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 252

STATE OF NEW JERSEY

DATED: MARCH 4, 2002

The Assembly Telecommunications and Utilities Committee reports favorably Assembly Bill No. 252.

As reported, this bill requires certain public utilities providing basic (electric) generation or basic gas supply service, telephone companies providing telephone services and cable television companies providing cable television services to establish payment plans that allow senior citizens at least 30 days from the date of utility, telephone and cable television bills to submit payment to a utility, telephone company or cable television company without incurring late fees, interest or penalties of any kind.

Senior citizens living on a fixed incomes are often unable to pay their utility, telephone and cable television bills in less than 30 days because of their reliance on monthly social security or pension income. The intent of this bill is to provide at least 30 days from the date of utility, telephone or cable television bills for senior citizens to submit payments without incurring late fees, interest or penalties of any kind.

This bill was prefiled for introduction in the 2002-2003 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.

SENATE ECONOMIC GROWTH, AGRICULTURE AND
TOURISM COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 252

STATE OF NEW JERSEY

DATED: JUNE 12, 2003

The Senate Economic Growth, Agriculture and Tourism Committee reports favorably a Senate committee substitute for Assembly Bill No. 252.

This bill, as substituted, prohibits the Board of Public Utilities ("board") from allowing a public utility, as public utility is defined in R.S.48:2-13 and including a natural gas pipeline utility as natural gas pipeline utility is defined in section 2 of P.L.1952, c.166 (C.48:10-3), and a municipally-operated utility that is subject to the jurisdiction of the board, to assess a late payment charge on an unpaid bill unless such charge is provided for in the utility's applicable rate schedule approved by the board. A late payment charge shall not be approved by the board if it is applicable to bills less than 25 days after rendering. A late payment charge shall not be approved for a rate schedule applicable to a State, county or municipal government entity or any residential ratepayer.

The substitute bill prohibits a cable television company that provides cable television reception service within this State and is subject to the jurisdiction of the board, to approve a specified due date for payments for such service that is less than 15 days from the date of the bill. In the event a cable television company imposes an additional fee, charge or penalty to a subscriber for billing balances which are considered past due or late, the cable television company shall clearly specify the amount of the fee, charge or penalty on the subscriber's bill. The cable television company shall also specify the method of calculation of the fee, charge or penalty on the subscriber's bill. A cable television company shall not impose an additional fee, charge or penalty on any account balance of such subscriber that is less than 30 days past due or late.