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HOUSE BILL 817

47TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2006

INTRODUCED BY

Ben Lujan

AN ACT

RELATING TO PUBLIC ASSISTANCE; PROHIBITING DISCONTINUANCE OR
DISCONNECTION OF UTILITY SERVICES TO CERTAIN UTILITY CUSTOMERS
DURING THE WINTER HEATING SEASON.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 27-6-18 NMSA 1978 (being Laws 2005
(1st S.S.), Chapter 2, Section 2) is repealed and a new Section
27-6-18 NMSA 1978 is enacted to read:

"27-6-18. [NEW MATERIAL] PROHIBITION ON DISCONTINUANCE OR
DISCONNECTION OF UTILITY SERVICE DURING WINTER HEATING
SEASON.--

A. Unless requested by the customer, no utility
shall discontinue or disconnect service to a residential
customer for any billing cycle from November 15 through March
15 for nonpayment if the customer has been approved to receive

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1 assistance under the low-income home energy assistance program
2 by the administering entity during the program's current
3 season. In addition, no utility shall discontinue or
4 disconnect service to a residential customer until at least
5 fifteen days after the date scheduled for discontinuance or
6 disconnection if the customer demonstrates to the utility that
7 the customer has applied for assistance under the low-income
8 home energy assistance program.

9 B. If a customer notifies the utility that the
10 customer needs payment assistance, the utility shall promptly
11 report the customer's request for assistance to the
12 administering entity. The administering entity shall take
13 prompt action to evaluate the customer's eligibility for the
14 low-income home energy assistance program.

15 C. Utilities subject to this section shall have
16 available at billing offices application forms for the low-
17 income home energy assistance program and information about
18 qualification requirements and where and how to apply for
19 assistance.

20 D. For purposes of this section:

21 (1) "administering entity" means the human
22 services department or a tribal entity that administers its own
23 low-income home energy assistance program; and

24 (2) "current season" means the period from
25 October through August."

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