

## SB 998

### Discontinuation of residential water service: urban and community water systems

Introduced by Sen. Bill Dodd (D-Napa)

Approved by the Governor on Sept 28, 2018

Actual Bill Text [here](#)

- Applies to all urban and community water systems, public or private, that provide water to more than 200 service connections. New law will go into effect in early to mid 2020.
- Water systems must adopt written discontinuation policies that are available in English, Spanish, Chinese, Tagalog, Vietnamese, Korean and any other language spoken by 10 percent or more people within the system's service area.
- Water systems may not discontinue residential water service due to delinquent payment until payments are delinquent for at least 60 days. After that time, the water system must attempt to provide notice to customers by telephone or in writing, and provide information about appeals, extensions and alternative repayment options.
- **Water systems may not discontinue residential water service if all of the following take place:** 1.) a primary care provider certifies that the discontinuation of water service will pose a serious or potentially fatal threat to a resident, 2.) the customer demonstrates inability to pay and 3.) the customer is willing to enter into an alternative payment arrangement. A customer can demonstrate an inability to pay based on the receipt of certain public assistance by someone in the household, or a declaration from the customer that the household is below 200 percent of the federal poverty level.
- **Water systems must limit certain low-income customers' reconnection fees to no more than \$50 during regular business hours, and \$150 during non-regular hours.**
- Water systems must attempt to provide notice to renters and mobile home residents that their service may be discontinued due to delinquent payments by their landlords, and that the residents have the right to become customers of the water system without paying the past-due amounts on the landlords' accounts.
- Water systems must annually post on their websites the number of times the system has discontinued service due to inability to pay.
- Utilities in violation face a penalty up to \$1,000 for each day in which the violation occurs, and would require the enforcement moneys collected by the board to be deposited in the Safe Drinking Water Account.
- Association of California Water Agencies, California Municipal Utilities Association, League of California Cities, California Special Districts Association, and American Water Works Association California-Nevada Section opposed the Bill. See their letter [here](#).
- California Water Association initially opposed the Bill, but latter retracted opposition. See letter [here](#).

Most of the above information is taken from a post by BBK Associate, Nicholas Norvell

<https://www.bbklaw.com/news-events/insights/2018/legal-alerts/10/new-restrictions-on-residential-water-service-disc>