

CHAPTER 337
FORMERLY
HOUSE BILL NO. 261
AS AMENDED BY
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO TERMINATION OF UTILITY SERVICE OR SALE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend §117(d), Title 26 of the Delaware Code by making insertions as shown by underlining and deletions as shown by strike through as follows:

(d) In no event shall such termination occur if any occupant of any dwelling unit shall be so ill that the termination of such sale or service shall adversely affect his health or recovery, which has been so certified by a signed statement from any duly licensed physician, physician assistant or advanced nurse practitioner ~~of this State or any accredited Christian Science practitioner~~ , of this State or of a state with similar accreditation and received by any employee or officer of such person engaging in the distribution or sale of gas, water or electricity. Signed statements from a licensed physician, physician assistant or advanced nurse practitioner ~~or accredited Christian Science practitioner~~, obtained pursuant to this section are effective for 120 days. Signed statements may be renewed by means of a new signed statement to prevent termination only if a customer makes a good faith effort to make payments towards the utility service being provided. The Delaware Public Service Commission, may promulgate regulations defining "good faith effort to make payments". If a utility is subject to the jurisdiction of the Delaware Public Service Commission, that utility or a customer of the utility may petition the Delaware Public Service Commission for review of any dispute under this section. While such dispute is pending, a utility shall continue to provide utility service to the customer until a final Commission adjudication on the petition is issued. When possible no termination under this section shall occur without advance notice to any known case manager or coordinator of an occupant in an affected dwelling unit.

Approved July 18, 2012