



MARCH 2022 | QUESTION OF THE MONTH

What state laws exist to protect against utility disconnections?

State Protections Against Utility Disconnections

Recognizing the importance of heat, air conditioning, and electricity, 47 states and the District of Columbia have laws that prohibit utility providers from disconnecting or canceling services to customers under certain conditions. Thirty-four states specify times of years during which utilities cannot be disconnected. All 34 states prohibit utility disconnections under certain conditions during winter; four states (Delaware, Georgia, Illinois, and Missouri) ban disconnections for certain cases during summer months. Twenty-one states bar utility providers from disconnecting services at specified temperatures. Most of these states prevent utility disconnections during freezing temperatures, however 13 states prohibit disconnections for extreme heat (Arizona, Arkansas, Georgia, Illinois, Maryland, Mississippi, Missouri, Nevada, New Jersey, Oklahoma, Rhode Island, Texas, and Wisconsin). A number of states have policies prohibiting disconnections under specified non-weather criteria. Notable examples include bans or delays on disconnections for older customers (Arkansas, Idaho, Massachusetts, Michigan, Missouri, Nevada, New Hampshire, North Carolina, Rhode Island, Vermont, and Wisconsin) and lower income customers (Arkansas, Connecticut, Kentucky, Maryland, Massachusetts, Michigan, Minnesota, Nebraska, New Mexico, Ohio, Rhode Island, Utah, Washington, and Wisconsin).

| STATE | DATE-BASED | PROTECTION DATES | TEMPERATURE-BASED | TEMPERATURE | SPECIAL POLICIES |
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| ALABAMA | NO | | YES | ≤32° F | Disconnections are banned for special circumstances such as extreme weather or a life-threatening situation. |
| ALASKA | NO | | NO | | No disconnection for seriously ill, disabled. Senate Bill 241 implements disconnection moratorium of residential customers due to non-payment; disallows investor-owned utilities from charging late fees or interest for nonpayment for duration of emergency; requires reconnection of customers disconnected on or after March 11, 2020, due to nonpayment; requires a minimum timeline for repayment of charges incurred during emergency. |
| ARIZONA | NO | | YES | ≤32° F and ≥100° F | Utilities advised not to terminate residential service when the customer has an inability to pay and where weather will be especially dangerous to health (usually 32° F or below for winter and triple digits for summer) as determined by the Commission. There are also rules prohibiting disconnection of service for certain medical reasons. Several of Arizona's energy vendors enforce moratoriums with varying criteria. |
| ARKANSAS | YES | 11/1-3/31 | YES | ≤32° F and ≥95° F for elderly and disabled | Gas and electric service cannot be disconnected if the forecast predicts a temperature of 32° or lower during the next 24 hours. No disconnect for elderly or disabled when temperature is >95°, or medical emergency. No disconnect if customer agrees to deferred or extended payment agreement. The Public Service Commission has amended the state's cold weather rule to ban winter natural gas disconnections of |

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| | | | | | certain income-eligible households provided they make a minimum payment, about 50 percent of their bill. The amendment is effective December 1 through March 31. If households make the required payment, the remainder of their bill is deferred until April, after which they have seven months to pay off the balance. Qualified customers are those who receive benefits from LIHEAP, Food Stamps, WIC, Medicaid, or Transition Employment Assistance. To qualify, customers must notify their natural-gas supplier that they are eligible and provide written proof to the utility within two weeks. |
| CALIFORNIA | NO | | | | Customer who provides certification from licensed physician and surgeon that service termination will be life-threatening and who is unable to pay in normal period shall be permitted to amortize over a period not to exceed 12 months. |
| COLORADO | NO | | NO | | Customer with a medical certificate could postpone disconnection for up to 90 days and only once during a 12-month period. Certification of licensed doctor or health practitioner is required. |
| CONNECTICUT | YES | 11/1 - 5/1 | NO | | Low-income "hardship" policy - customers are entitled to have gas heat and electric service turned on between 11/1 and 5/1, even if they are past due on a bill, except if gas heat service was provided during prior winter based on "hardship" and service was turned off between 4/15 and 10/31. Then, to get service turned on, customer must pay the lesser of \$100, minimum payments due under payment agreement, or 20% of debt to gas company when gas was shut off. Customers must apply for "hardship" protection at the utility every fall. Gas and electric utility service must be provided year-round if a lack of service is life-threatening, regardless of debt to the utility. |
| DELAWARE | YES | 11/15 - 3/31 and 6/1-9/30 | YES | ≤32° or when ≥105° | 11/15 - 3/31: 14 days' notice and two attempts to contact the customer before disconnection are required; 6/1 - 9/30: 14 days' notice and one attempt to contact the customer before disconnection are required. No disconnect if termination will adversely affect the occupant's health; must be certified by licensed physician or Christian Science practitioner. |
| DISTRICT OF COLUMBIA | NO | | YES | ≤32° F | Termination may be postponed for up to 21 days (plus one renewal) with a physician's certificate or notice from a public health official stating that termination would be detrimental to the health/safety of a person. D.C. Council passed additional legislation requiring electric companies to: (i) make payment plans available to eligible customers with a minimum term of one year, unless the customer requests a shorter term; (ii) waive any fee or penalty arising from the payment plan; (iii) not report to a credit agency that the customer's account is delinquent; and (iv) notify all customers of the payment plan's availability. |
| FLORIDA | NO | | NO | | |
| GEORGIA | YES | 11/15 - 3/15 and summer months | YES | ≤32° F and ≥98° F | Total ban between November 15 and March 15 when the forecasted low temperature for a 24-hour period beginning at 8:00 A.M. on the date of the proposed disconnection is below 32°. No disconnect if illness would be aggravated, need statement from doctor. Residential service will not be disconnected if at 8 A.M. on the scheduled disconnection day, a National Weather Service Heat Advisory or Excessive Heat Warning is in effect for the county of the scheduled disconnection. |
| HAWAII | NO | | NO | | |
| IDAHO | YES | 12/1 - 2/28 | NO | | Disconnect ban for households with children under 18, elderly age 62 or older, or infirm. Delay disconnection for 30 days if detrimental to health of a household member, certified by a health professional. Cannot disconnect if a customer owes less than \$75 or no more than last month's balance on Nov. 1. |
| ILLINOIS | YES | 12/1 - 3/31 and summer months | YES | ≤32° F and ≥95° F | Total ban when ≤32°. Utilities must offer payment plan of 10% down payment and equalized billing over the next 4 to 12 months. In summer months public utilities cannot turn off gas or electricity when it is the sole power source for cooling if the forecast for the following 24 hours includes temperature ≥95°F; includes master-meter buildings. |

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| INDIANA | YES | 12/1 - 3/15 | NO | | Prohibits utilities from disconnecting residential natural gas or electric service for nonpayment from December 1 to March 15 if the customer qualifies and applies for public assistance, regardless of whether the customer receives the benefit. |
| IOWA | YES | 11/1 - 4/1 | YES | ≤20° F | No disconnect for all residential customers when <20° F. LIHEAP-certified customers have complete protection from Nov. 1 through March 31 regardless of temperature; utility must offer payment plan after moratorium. Those who notify their gas and electric utility that they are applying for LIHEAP certification through the local CAP agency may receive a 30 day stay from service disconnection during the moratorium. |
| KANSAS | YES | 11/1 - 3/31 | YES | ≤35° F | Ban when ≤35°. To avoid disconnection when temperature is above 35° customers must make payment schedule, meet payments, and apply for aid if eligible. Delay disconnection for 20 days if the action would adversely affect the health of a household member. During the delay the customer is expected to agree to a payment plan. |
| KENTUCKY | NO | | NO | | Customers may negotiate a payment plan with the company for reconnection during the months of November through March if they are "income qualified" for certain public assistance programs and if they secure and present an official "Certificate of Need" from the state social services office. |
| LOUISIANA | NO | | NO | | Disconnection can be delayed for up to 63 days if detrimental to health or safety of household member. Customer must negotiate a payment plan before disconnect date. |
| MAINE | YES | 11/15 - 4/15 | NO | | Disconnections are not permitted if the customer agrees to a special payment arrangement that allows the customer to pay less than the amount of each current bill during the winter months. Requires Public Utility Commission approval. A 30-day disconnection delay, with renewals of up to 90 days, is permitted if a physician certifies that disconnection would adversely affect the health of a household member. Cannot disconnect if an overdue amount is less than \$50, unless the overdue amount is more than 90 days old or the utility bills four times a year or less. |
| MARYLAND | YES | 11/1 - 3/31 | YES | ≤32° F and ≥ 95° F | Gas and electric companies must check the 72-hour weather forecast before disconnecting a customer for nonpayment. If the temperature is expected to be 32 degrees or lower during the winter protection dates or 95 degrees or higher at any time of the year, the utility cannot turn off the power. |
| MASSACHUSETTS | YES | 11/15-3/15 | NO | | Disconnection not permitted for any customer who cannot pay an overdue charge because of financial hardship. Also, cannot shut off a service that the resident needs to run their residential heating system. After November 1, a LIHEAP customer may get service reconnected with a minimum payment of \$255. |
| MICHIGAN | YES | 11/1 - 3/31 | NO | | Winter Protection Plan for elderly 65 years or older, recipients of Medicaid, Food Stamps or state emergency relief, full-time active military personnel or persons needing critical care or having a certified medical emergency. Households with income less than 150% of federal poverty guidelines must be enrolled in a payment plan. |
| MINNESOTA | YES | 10/15 - 4/15 | YES | | Utilities may not disconnect residential electricity service when an excessive heat watch, heat advisory, or excessive heat warning has been issued by the National Weather Service. Disconnect ban if customer declares inability to pay and income is <50% state median income and agrees to payment plan or if eligible customer pays 10% of income or the full amount of current bill (whichever is less) or if customer agrees and adheres to payment plan. |
| MISSISSIPPI | YES | 12/1 - 3/31 | NO | When an excessive heat or freeze warning is issued | Prohibited for customers who can prove extreme financial difficulty or medical emergency and agree to payment plan. If a customer demonstrates a medical emergency from December through March, the utility shall not terminate service without offering a levelized plan. A customer who agrees to a levelized billing plan will not be disconnected after April 1. If an excessive heat warning or a freeze warning has been issued by the National Weather Service for the county of the scheduled disconnect, such disconnects are suspended. |

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| MISSOURI | YES | 11/1 - 3/31 and 6/1 - 9/30 | YES | ≤32° F and ≥95° | Prohibits the disconnection of heat-related service from investor-owned utilities when the temperature is predicted to drop below 32° during the following 24-hour period and allows customers to make a payment arrangement. Households that do not honor the payment arrangements will be subject to disconnection once the temperature is above 32° degrees or beginning in April, whichever comes first. Prohibits the disconnection of households in extreme heat conditions, 95° and above. Households may be disconnected once the temperature is below 95° or beginning in October, whichever comes first. This applies to both regulated and non-regulated energy vendors. Prohibits the disconnection of registered elderly and disabled customers who meet certain income guidelines who make a minimum payment. |
| MONTANA | YES | 11/1 - 4/1 | YES | <32° F | No disconnect when the temperature at 8 a.m. is below 32° F or if freezing temperatures are forecast for the next 24 hours for customers receiving public assistance or if household member is age 62 or older or disabled. Prohibited for customers receiving public assistance or if household member is age 62 or older or disabled. Regulated utilities must get PSC approval for disconnect. |
| NEBRASKA | YES | 11/1 - 3/31 | NO | | No disconnect for low-income natural gas customers with proof of eligibility for energy assistance. |
| NEVADA | NO | | YES | ≤15° F and ≥105° | Disconnection is delayed for 30 days, with one renewal, if the customer has a medical emergency. Customer must pay bill in installments within the next 90 days. Elderly and handicapped must have 48-hours' notice. Disconnection is delayed if customer agrees to pay bill in installments within the next 90 days. |
| NEW HAMPSHIRE | YES | 11/15 - 3/31 | NO | | Public Utility Commission approval is needed to shut-off for customers who are 65 or older. Disconnection is not allowed unless arrears are more than \$125 for gas non-heating, \$225 for electric non-heating and more than \$450 for gas, electric and steam heating. During winter period, financial hardship customers can restore service with 10% down payment and an arrangement of 10% of the total due each month. Financial hardship customers can also maintain service during winter period with an arrangement of 10% of total due each month. Must allow customers to pay balance over the next 6 months after winter moratorium. |
| NEW JERSEY | YES | 11/15 - 3/15 | YES | ≥95o | Ban on disconnection for customers receiving Lifeline, LIHEAP, TANF, SSI, PAAD or GA or households unable to pay overdue amounts because of unemployment, medical expenses, or recent death of spouse. Customers eligible for the Winter Termination Protection Program are placed on a budget plan and cannot be disconnected if they make good faith payments. During the heating season, a utility may not ask for a security deposit. "If a customer is eligible for the Winter Termination Program under 14:3-7.12A, and the high temperature is forecast to be 90o or more at any time during the following 48 hours, an electric utility shall not discontinue residential service to a customer for reasons of nonpayment of a delinquent account, failure to pay a cash security deposit or guarantee, or failure to comply with a deferred payment agreement." |
| NEW MEXICO | YES | 11/15 - 3/15 | NO | | A public regulated utility company shall not disconnect service to a residential customer for any billing cycle from November 15 through March 15 for nonpayment if the customer meets the qualifications for LIHEAP and are current on their bills or if they have entered into a payment agreement with their provider and are current on payments under that agreement by Nov. 15. The utility company shall report the customer's need for assistance to the human services department and the department shall take immediate action to mitigate the problem. |
| NEW YORK | YES | 12/24-1/1 | NO | | Prohibits disconnection if household has life support system; 30-day delay for certified medical condition, certificates may be renewed for 30 days or longer if a chronic condition exists. Prohibits disconnection if customer is blind, disabled, or 62 years or older and the remaining household members are 62 years or older, 18 years or under, or blind or disabled unless the utility contacts the household 72 hours prior to termination of service for the purpose of devising a pay plan. If a pay plan cannot be implemented the utility must delay termination for 15 days and request that social services assist in devising a plan. |

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| | | | | | Between Nov 1-April 15, all customers must be notified 72 hours before disconnection to ascertain if the health and safety of a resident will be compromised. Utility cannot disconnect if a customer will suffer a serious health or safety impairment. |
| NORTH CAROLINA | YES | 11/1 - 3/31 | NO | | No disconnect for elderly, disabled, and customers who are eligible for the Energy Crisis Assistance Program. Disconnection is prohibited if customer agrees and adheres to a payment plan. |
| NORTH DAKOTA | NO | | NO | | No disconnect for customers who enter a payment plan. Utilities must delay disconnection for 30 days for customers who are age 65 or older, ill, or disabled. |
| OHIO | YES | 10/15 - 4/15 | NO | | The winter reconnect order is issued on an annual basis by the Public Utilities Commission. The winter reconnect order allows residential customers who are disconnected or being threatened with disconnection the opportunity to pay no more than \$175 to maintain their utility service. If the customer's service has already been disconnected, the customer must pay a reconnect fee of no more than \$36 to restore. Customers who utilize the Winter Reconnect Order must enter an extended payment plan on their remaining balance. Customers requesting new natural gas or electric services, who have no previous balance with their utility, may establish service under the winter reconnect order by paying \$175, rather than paying the required security deposit. Customers may utilize the winter reconnect order one time from mid-October through mid-April. |
| OKLAHOMA | YES | 11/15 - 4/15 | YES | ≤32°F (daytime), ≤20° F (night); or heat index ≥101° F | No disconnect if temperatures are 32° F or below during the day, 20° F or below at night or if the predicted heat index is 101° F or greater. 30-day delay and 30-day extension possible in case of life-threatening condition. Commission may order a ban on all disconnections in the event of severe weather or if it would be dangerous to the health of the customer. |
| OREGON | NO | | NO | | A medical certificate will prevent disconnection up to 6 months for non-chronic condition, up to 12 months for chronic condition and requires the customer to set up a payment plan. |
| PENNSYLVANIA | YES | 12/1 - 3/31 | NO | | No termination of utility service between protection dates for customers at or below 250% of the Federal poverty level (150% of the Federal poverty level for customers of Philadelphia Gas Works). If a household is shut off prior to December 1, the utility must attempt to contact the customer and attempt to negotiate an agreement regarding payment of any arrearages and restoration of service. |
| RHODE ISLAND | YES | 11/1 - 4/30 | YES | No termination if National Weather Service issues a heat advisory or excessive heat warning. | Disconnection ban for elderly, handicapped or seriously ill; households with a child under 2 years old; those who are receiving unemployment compensation, federal heating assistance or who qualify as a financial hardship (75% or less of state median income); or if arrears are less than \$500 for primary source of heat or less than \$200 if not primary heat source. No termination if National Weather Service issues a heat advisory or excessive heat warning. |
| SOUTH CAROLINA | YES | 12/1 - 3/31 | YES | ≤32°F | Disconnection is suspended when the average forecasted temperature is 32°F or below for a 45-hour period. Commission Regulation 103-352 requires a utility to defer disconnection of residential service for non-payment of bills during months of December through March if a customer or a member of a customer's household provides a medical certificate completed by the customer and the customer's licensed healthcare provider. |
| SOUTH DAKOTA | YES | 11/1 - 3/31 | NO | | Between November 1 and March 31, an additional 30 -day period is added to the regular 30 -day notice |
| TENNESSEE | NO | | NO | | 30-day disconnection delay if physician, public health official or social service official certifies that a household member's health would be adversely affected. |
| TEXAS | NO | | YES | ≤32°F or during heat advisory | Disconnection will be delayed if detrimental to the health of a resident, must have physician certification. |

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| UTAH | YES | 11/15 - 3/15 | NO | | Must have a termination notice and have been refused utility service; applied for HEAT and Red Cross energy assistance and make a good faith effort to pay utility bill on a consistent basis during moratorium. Also, must meet at least 1 of the following criteria: have an income <150% FPG, medical emergency, becomes unemployed, or income is cut by 50% or more. |
| VERMONT | YES | 11/1 - 3/31 | NO | ≤10° F or ≤32° F for households with elderly age 62 or older. | 30-day disconnection delay if household member's health would be adversely affected, physician certificate can be renewed twice. Cannot disconnect if a customer owes less than \$50, provided that this exception may not be used for more than two billing cycles in one calendar year. |
| VIRGINIA | NO | | NO | | An investor-owned electric utility, electric cooperative, or public utility providing water service shall, upon request from a residential customer who has a Serious Medical Condition Certification Form filed with the utility, delay termination of service for a minimum of 30 calendar days beyond the expiration of the disconnect notice. Service termination will be delayed for 10 calendar days pending receipt of the form. An investor-owned electric utility, electric cooperative, or public utility providing water service shall permit a residential customer to delay termination of service under this chapter two times within a 12-month period. The 30-calendar day delays may be consecutive. |
| WASHINGTON | YES | 11/15 - 3/15 | NO | | Protection for hardship customers who qualify or apply for energy assistance and enter payment plan. Disconnection is delayed if a medical emergency exists or 10% of the delinquent balance is paid within 5 business days. Need written certification from a qualified medical professional that is valid only for the length of time the health endangerment is certified to exist but no longer than sixty days. Medical certification can be renewed once within 120 days. |
| WEST VIRGINIA | YES | 11/1 - 3/31 | YES | ≤32°F | When a physician, nurse practitioner or physician assistant has certified that the termination of service would be detrimental to the health of the customer's household, the utility must make three additional attempts to contact the customer. The medical certification may be renewed by the proper medical person every 30 days if illness persists. Renewals are not needed if condition is certified as being permanent. |
| WISCONSIN | YES | 11/1 - 4/15 | YES | When heat advisory is in effect Disconnection only if above | No disconnect during extreme weather unless all other legal means of collection have been attempted and only if: 1) income is ≤250% FPG; health and safety would not be endangered due to presence of elderly, small children, or mentally disabled; and utility has an approved winter disconnection plan on file. |
| WYOMING | YES | 11/1 - 4/1 | YES | 32° F | Temperature-based restrictions if unable to pay and has exhausted available assistance or is actively seeking assistance, or can pay, but only in installments. 15-day disconnect delay if physician certifies that a household member is disabled or seriously ill. 30-day delay if a household member is on life support equipment, customer must enter payment plan. |
| TOTAL | 34 | 34 | 21 | 23 | 48 |

Source: "Disconnect Policies," LIHEAP Clearing House, U.S. Department of Health and Human Services, accessed April 9, 2022, <https://liheapch.acf.hhs.gov/Disconnect/disconnect.htm#tn>.