

**As Introduced**

**135th General Assembly  
Regular Session  
2023-2024**

**S. B. No. 150**

**Senator Smith**

**Cosponsors: Senators Antonio, DeMora**



**A BILL**

To amend sections 4933.12, 4933.121, and 4933.123 1  
and to enact sections 4933.125, 4933.126, 2  
4933.127, 4933.128, 4933.129, 4933.1210, and 3  
4933.1211 of the Revised Code to prohibit 4  
terminating electric or gas service to certain 5  
households and establish a payment plan for 6  
these services. 7

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 4933.12, 4933.121, and 4933.123 8  
be amended and sections 4933.125, 4933.126, 4933.127, 4933.128, 9  
4933.129, 4933.1210, and 4933.1211 of the Revised Code be 10  
enacted to read as follows: 11

**Sec. 4933.12.** (A) Except as provided in division (C) of 12  
this section~~and~~, division (E) of section 5117.11 of the 13  
Revised Code, and section 4933.125 of the Revised Code, if any 14  
person supplied with gas neglects or refuses to pay the amount 15  
due for the gas or for rent of articles hired by the person from 16  
a natural gas company or a gas company, the company may stop the 17  
gas from entering the premises of the person. In such cases, 18

after twenty-four hours' notice, the officers, servants, or 19  
workers of the company may enter the premises of such persons, 20  
between eight a.m. and four p.m., take away such property of the 21  
company, and disconnect any meter from the mains or pipes of the 22  
company. 23

(B) The company shall not refuse to furnish gas on account 24  
of arrearages due it for gas furnished to persons formerly 25  
receiving services at the premises as customers of the company, 26  
provided the former customers are not continuing to reside at 27  
the premises. 28

(C) ~~The~~ Except as provided in section 4933.125 of the 29  
Revised Code, the company shall not, for any reason, unless 30  
required by the consumer for safety reasons, or unless tampering 31  
with utility company equipment or theft of gas or utility 32  
company equipment has occurred, stop gas from entering the 33  
premises of any residential consumer for the period beginning on 34  
the fifteenth day of November and ending on the fifteenth day of 35  
the following April, unless both of the following apply: 36

(1) The account of the consumer is in arrears thirty days 37  
or more. 38

(2) If the occupant of residential premises is a tenant 39  
whose landlord is responsible for payment for the service 40  
provided by the company, the company has, five days previously, 41  
notified the occupant of its intent to discontinue service to 42  
the occupant. 43

(D) No company shall stop the gas from entering any 44  
residential premises between the fifteenth day of November and 45  
the fifteenth day of April because of a failure to pay the 46  
amount due for the gas unless the company, at the time it sends 47

or delivers to the premises notices of termination, informs the 48  
occupant of the premises where to obtain state and federal aid 49  
for payment of utility bills and for home weatherization and 50  
information on local government aid for payment of utility bills 51  
and for home weatherization. 52

(E) On or before the first day of November, a county human 53  
services department may request a company to give prior 54  
notification of any residential service terminations to occur 55  
during the period beginning on the fifteenth day of November 56  
immediately following the department's request and ending on the 57  
fifteenth day of the following April. If a department makes such 58  
a written request, at least twenty-four hours before the company 59  
terminates services to a residential customer in the county 60  
during that period for failure to pay the amount due for 61  
service, the company shall provide written notice to the 62  
department of the residential customer whose service the company 63  
so intends to terminate. No company that has received such a 64  
request shall terminate such service during that period unless 65  
it has provided the notice required under this division. 66

(F) No company shall stop gas from entering the 67  
residential premises of any residential consumer who is deployed 68  
on active duty for nonpayment for gas supplied to the 69  
residential premises. 70

Upon return of a residential consumer from active duty, 71  
the company shall offer the residential consumer a period equal 72  
to at least the period of deployment on active duty to pay any 73  
arrearages incurred during the period of deployment. The company 74  
shall inform the residential consumer that, if the period the 75  
company offers presents a hardship to the consumer, the consumer 76  
may request a longer period to pay the arrearages and, in the 77

case of a company that is a public utility as defined in section 78  
4905.02 of the Revised Code, may request the assistance of the 79  
public utilities commission to obtain a longer period. No late 80  
payment fees or interest shall be charged to the residential 81  
consumer during the period of deployment or the repayment 82  
period. 83

If a company that is a public utility determines that 84  
amounts owed by a residential consumer who is deployed on active 85  
duty are uncollectible, the company may file an application with 86  
the public utilities commission for approval of authority to 87  
recover the amounts. The recovery shall be through a rider on 88  
the base rates of customers of the company or through other 89  
means as may be approved by the commission, provided that any 90  
amount approved to be recovered through a rider or other means 91  
shall not be considered by the commission in any subsequent rate 92  
determination. 93

As used in this division, "active duty" means active duty 94  
pursuant to an executive order of the president of the United 95  
States, an act of the congress of the United States, or section 96  
5919.29 or 5923.21 of the Revised Code. 97

**Sec. 4933.121.** (A) Except as provided in division (E) of 98  
section 5117.11 of the Revised Code and section 4933.125 of the 99  
Revised Code, an electric light company shall not, for any 100  
reason, unless requested by the consumer for safety reasons, or 101  
unless tampering with utility company equipment or theft of 102  
electricity or utility company equipment has occurred, cease to 103  
provide electricity to any residential consumer for the period 104  
beginning on the fifteenth day of November and ending on the 105  
fifteenth day of the following April, unless both of the 106  
following apply: 107

(1) The account of the consumer is in arrears thirty days	108
or more.	109
(2) If the occupant of residential premises is a tenant	110
whose landlord is responsible for payment for the service	111
provided by the company, the company has, five days previously,	112
notified the occupant of its intent to discontinue service to	113
the occupant.	114
(B) The company shall not refuse to furnish electricity on	115
account of arrearages due it for electricity furnished to	116
persons formerly receiving services at the premises as customers	117
of the company, provided the former customers are not continuing	118
to reside at the premises.	119
(C) No company shall cease to provide electricity to any	120
residential premises between the fifteenth day of November and	121
the fifteenth day of April because of a failure to pay the	122
amount due for the electricity unless the company, at the time	123
it sends or delivers to the premises notices of termination,	124
informs the occupant of the premises where to obtain state and	125
federal aid for payment of utility bills and for home	126
weatherization and information on local government aid for	127
payment of utility bills and for home weatherization.	128
(D) On or before the first day of November, a county human	129
services department may request a company to give prior	130
notification of any residential service terminations to occur	131
during the period beginning on the fifteenth day of November	132
immediately following the department's request and ending on the	133
fifteenth day of the following April. If a department makes such	134
a written request, at least twenty-four hours before the company	135
terminates services to a residential customer in the county	136
during that period for failure to pay the amount due for	137

service, the company shall provide written notice to the 138  
department of the residential customer whose service the company 139  
so intends to terminate. No company that has received such a 140  
request shall terminate such service during that period unless 141  
it has provided the notice required under this division. 142

(E) No company shall cease to provide electricity to the 143  
residential premises of any residential consumer who is deployed 144  
on active duty for nonpayment for electricity provided to the 145  
residential premises. 146

Upon return of a residential consumer from active duty, 147  
the company shall offer the residential consumer a period equal 148  
to at least the period of deployment on active duty to pay any 149  
arrearages incurred during the period of deployment. The company 150  
shall inform the residential consumer that, if the period the 151  
company offers presents a hardship to the consumer, the consumer 152  
may request a longer period to pay the arrearages and, in the 153  
case of a company that is a public utility as defined in section 154  
4905.02 of the Revised Code, may request the assistance of the 155  
public utilities commission to obtain a longer period. No late 156  
payment fees or interest shall be charged to the residential 157  
consumer during the period of deployment or the repayment 158  
period. 159

If a company that is a public utility determines that 160  
amounts owed by a residential consumer who is deployed on active 161  
duty are uncollectible, the company may file an application with 162  
the public utilities commission for approval of authority to 163  
recover the amounts. The recovery shall be through a rider on 164  
the base rates of customers of the company or through other 165  
means as may be approved by the commission, provided that any 166  
amount approved to be recovered through a rider or other means 167

shall not be considered by the commission in any subsequent rate 168  
determination. 169

As used in this division, "active duty" means active duty 170  
pursuant to an executive order of the president of the United 171  
States, an act of the congress of the United States, or section 172  
5919.29 or 5923.21 of the Revised Code. 173

**Sec. 4933.123.** (A) For the purpose of this section: 174

(1) "Energy company" shall have the meaning assigned in 175  
division ~~(A) (4)~~ (D) of section 5117.01 of the Revised Code. 176

(2) "Service disconnection for nonpayment" means the 177  
intentional discontinuation of gas or electric services to a 178  
residential customer by an energy company due to the failure of 179  
the customer to pay for such services. 180

(3) "Service reconnections" means the reconnection of gas 181  
or electric services by an energy company to a residential 182  
customer whose service was discontinued by such company for 183  
nonpayment. 184

(B) ~~Annually, on or before the thirtieth day of June, each~~ 185  
Each energy company shall file a quarterly written report on 186  
service disconnections for nonpayment with the public utilities 187  
commission and the consumers' counsel. A report shall be issued 188  
on or before the thirty-first day of March, the thirtieth day of 189  
June, the thirtieth day of September, and the thirty-first day 190  
of December each year. The report shall include the following 191  
information by zip code for the ~~twelve-month preceding quarterly~~ 192  
period ~~ending on the preceding thirty first day of May, by~~ 193  
~~month~~ ending on the date that the previous report was required to 194  
be issued: 195

(1) Total number of service disconnections for nonpayment 196

and the total dollar amount of unpaid bills represented by such disconnections;	197 198
(2) Total number of final notices of actual disconnection issued for service disconnections for nonpayment and the total dollar amount of unpaid bills represented by such notices;	199 200 201
(3) Total number of residential customer accounts in arrears by more than sixty days and the total dollar amount of such arrearages;	202 203 204
(4) Total number of security deposits received from residential customers and the total dollar amount of such deposits;	205 206 207
(5) Total number of service reconnections;	208
(6) Total number of residential customers.	209
<b><u>Sec. 4933.125.</u></b> (A) <u>As used in sections 4933.125 to 4933.1211:</u>	210 211
(1) <u>"Certified nurse-midwife" has the same meaning as in section 4723.01 of the Revised Code;</u>	212 213
(2) <u>"Electric light company" means an electric light company defined in section 4905.03 of the Revised Code that is a public utility under section 4905.02 of the Revised Code;</u>	214 215 216
(3) <u>"Gas company" means a gas company defined in section 4905.03 of the Revised Code that is a public utility under section 4905.02 of the Revised Code;</u>	217 218 219
(4) <u>"Medical professional" means any of the following:</u>	220
(a) <u>An individual authorized under Chapter 4731. of the Revised Code to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery;</u>	221 222 223



<u>(b) An individual licensed under Chapter 4730. of the</u>	224
<u>Revised Code to practice as a physician assistant;</u>	225
<u>(c) A clinical nurse specialist or certified nurse</u>	226
<u>practitioner as defined in section 4723.01 of the Revised Code;</u>	227
<u>(d) A physician appointed by a board of health as</u>	228
<u>described in sections 3709.13 and 3709.14 of the Revised Code.</u>	229
<u>(5) "Natural gas company" means a natural gas company</u>	230
<u>under section 4905.03 of the Revised Code that is a public</u>	231
<u>utility under section 4905.02 of the Revised Code.</u>	232
<u>(B) No electric light company, gas company, or natural gas</u>	233
<u>company, except for safety reasons, shall cease to provide</u>	234
<u>electricity to any residential customer or stop gas from</u>	235
<u>entering the premises of any residential customer if any of the</u>	236
<u>following are satisfied:</u>	237
<u>(1) The customer's household is the residence of a child</u>	238
<u>who is the age of five years or younger, regardless of the</u>	239
<u>child's relationship with the customer;</u>	240
<u>(2) The customer's household is the residence of a person</u>	241
<u>who is the age of sixty-five years or older;</u>	242
<u>(3) The customer's household is the residence of a person</u>	243
<u>with a disability, provided that a medical professional has</u>	244
<u>submitted confirmation of the disability pursuant to section</u>	245
<u>4933.126 of the Revised Code;</u>	246
<u>(4) The customer's household is the residence of a person</u>	247
<u>with an illness, provided that a medical professional has</u>	248
<u>submitted confirmation of the illness pursuant to section</u>	249
<u>4933.126 of the Revised Code;</u>	250
<u>(5) The customer's household is the residence of a person</u>	251

who is currently pregnant, provided that a medical professional 252  
or certified nurse-midwife has submitted confirmation of the 253  
pregnancy pursuant to section 4933.126 of the Revised Code; 254

(6) Both of the following apply: 255

(a) The customer's household income is at or below two 256  
hundred per cent of the federal poverty level; 257

(b) The customer submits proof of income not more than 258  
sixty days after asserting the customer's household income using 259  
either a copy of the customer's internal revenue system form 260  
1040 or a benefit award letter from one of the following: 261

(i) Ohio works first; 262

(ii) Supplemental security income; 263

(iii) Percentage of income payment plan program; 264

(iv) Home energy assistance program; 265

(v) Supplemental nutrition assistance program; 266

(vi) Publicly funded child care. 267

**Sec. 4933.126. (A) Confirmation of a disability, illness,** 268  
or current pregnancy required by section 4933.125 of the Revised 269  
Code shall be submitted to the electric light company, gas 270  
company, or natural gas company and include all of the 271  
following: 272

(1) The name of the person to be certified as being a 273  
person with a disability, illness, or current pregnancy; 274

(2) A statement that the person with a disability, 275  
illness, or current pregnancy is a resident of the customer's 276  
household; 277

<u>(3) The name, business address, and telephone number of</u>	278
<u>the person providing the confirmation;</u>	279
<u>(4) A statement that the person in the customer's</u>	280
<u>household is a person with a disability, illness, or current</u>	281
<u>pregnancy.</u>	282
<u>(B) Confirmation of a disability, illness, or current</u>	283
<u>pregnancy required by this section shall be provided in writing.</u>	284
<u>Initial confirmation may be provided by telephone, if written</u>	285
<u>confirmation is submitted to the company not later than thirty</u>	286
<u>days after the telephone confirmation is provided.</u>	287
<b><u>Sec. 4933.127. A residential customer who meets the</u></b>	288
<b><u>requirements of division (B) of section 4933.125 of the Revised</u></b>	289
<b><u>Code shall be entered into a payment plan for the customer's</u></b>	290
<b><u>electric and gas usage that is provided by an electric light</u></b>	291
<b><u>company, gas company, or natural gas company in either of the</u></b>	292
<b><u>following amounts, whichever is lower:</u></b>	293
<u>(A) Seven and one-half per cent of the customer's monthly</u>	294
<u>net income;</u>	295
<u>(B) One-twelfth of the combined amount of the customer's</u>	296
<u>electric and gas bills immediately prior to the customer's</u>	297
<u>enrollment in the payment plan created by this section.</u>	298
<b><u>Sec. 4933.128. A residential customer subject to the</u></b>	299
<b><u>payment plan under section 4933.127 of the Revised Code shall</u></b>	300
<b><u>not be financially responsible for any costs of providing</u></b>	301
<b><u>electric service or gas service exceeding the customer's payment</u></b>	302
<b><u>plan amount.</u></b>	303
<b><u>Sec. 4933.129. An electric light company, gas company, or</u></b>	304
<b><u>natural gas company subject to the prohibition under section</u></b>	305
<b><u>4933.125 of the Revised Code shall comply with both of the</u></b>	306

following: 307

(A) The company shall be financially responsible for all 308  
costs of providing service to a residential customer described 309  
in division (B) of section 4933.125 of the Revised Code, except 310  
for amounts owed by the customer under a payment plan imposed 311  
under section 4933.127 of the Revised Code. 312

(B) The company shall not collect costs it is financially 313  
responsible for under division (A) of this section from any 314  
customer through rates, fares, tolls, rentals, charges, fees, 315  
rate mechanisms, or riders. 316

Sec. 4933.1210. The public utilities commission shall 317  
adopt rules to implement sections 4933.125 to 4933.129 of the 318  
Revised Code. 319

Sec. 4933.1211. Notwithstanding any provision of section 320  
121.95 of the Revised Code to the contrary, a regulatory 321  
restriction contained in a rule adopted under section 4933.1210 322  
of the Revised Code is not subject to sections 121.95 to 121.953 323  
of the Revised Code. 324

**Section 2.** That existing sections 4933.12, 4933.121, and 325  
4933.123 of the Revised Code are hereby repealed. 326