

RESOLUTION NO. _____, SERIES 2023

**A RESOLUTION IN SUPPORT OF KENTUCKY GENERAL ASSEMBLY
HOUSE BILL 66 TO CREATE REQUIREMENTS TO PREVENT UTILITY
DISCONNECTION IN VULNERABLE HOUSEHOLDS.**

SPONSORED BY: COUNCIL MEMBER ARTHUR

WHEREAS, data from the National Energy Assistance Directors Association (NEADA) representing the state directors of the Low-Income Home Energy Assistance Program (LIHEAP) shows that more than 20 million families are behind on their utility bills; and

WHEREAS, from 2020 to 2021, the average combined energy burden increased over 6% for households with incomes in the lowest 20%; and

WHEREAS, data from the National Energy and Utility Coalition shows that only 24.80% of eligible Kentuckians received LIHEAP in 2021; and

WHEREAS, 68.45% of Kentucky LIHEAP recipients have at least one vulnerable (elderly, disabled or a child under 6) family member; and

WHEREAS, according to the 2022-2023 Office of Resilience and Community Services Strategic Plan, approximately 20% of Louisville households have zero or negative net worth, and a quarter of families have no retirement savings; and

WHEREAS, almost 40% of Louisville households lack sufficient savings to sustain three months of living expenses in the event of a shock to income like the loss of a job or a medical expense; and

WHEREAS, utility assistance was identified as a top three need in vulnerable households by the Office of Resilience and Community Services; and

WHEREAS, over 78,500 applications have been completed and over \$20 million in funds have been disbursed to residents to assist with managing cost associated with home energy bills and to reduce the risk of health and safety problems that arise from unsafe heating and cooling practices; and

WHEREAS, in January 2022 it was reported that the Louisville Gas and Electric turned off the heat and electricity for more than 650 customers amid the frigid January temperatures; and

WHEREAS, another 14,000 residential customers were on the brink, behind on payments and eligible for disconnection across the LG&E service territory; and

WHEREAS, in January 2023 the Crises Component of the Low-Income Home Energy Assistance Program (LIHEAP) appointments were filled in less than 24 hours; and

WHEREAS, General Assembly House Bill 66 introduced in the 2023 Kentucky General Assembly would create requirements protecting utility services for vulnerable household includes but not limited to,

(1) A utility shall not disconnect or suspend residential service to a residential customer's residence:

a. On a day between December 1 and March 31 when the National Weather Service forecast that a temperature of thirty-two (32) degree Fahrenheit or lower will occur at any time during the following seventy-two (72) hour period; or

b. On a day between June 1 and August 31 when the National Weather Service forecast that a temperature of ninety-five (95) degrees Fahrenheit or greater will occur at any time during the following seventy-two (72) hour period; or

c. For a period of thirty (30) days following the receipt of a certificate of need from a physician, physician's assistant, community-based service program, or faith based service program certifying that disconnection of service threaten the health and safety of the customer or the occupants of the customer's household.

(2) Disconnection of service shall occur only between the hours of 8 a.m. and 5 p.m. on weekdays and shall not be authorized on weekends or a state or federal holiday.

(3) If a residential customer makes a payment of not less than ten percent (10%) of the accrued balance of the bill or two hundred dollars (\$200), whichever is less, and has entered into a payment plan, service to the household shall not be terminated. Late fees shall be waived for service termination that has been suspended due to a certificate of need.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (THE "COUNCIL") AS FOLLOWS:

SECTION I: The Council supports passage of Kentucky General Assembly House Bill 66 creating requirements that to prevent utility disconnection in vulnerable households.

SECTION II: A copy of this Resolution will be sent to the members of the General Assembly and the Governor of the Commonwealth.

SECTION III: This Resolution shall take effect upon its passage and approval or otherwise becomes law.

Sonya Harward
Metro Council Clerk

Markus Winkler
President of the Council

Craig Greenberg
Mayor

Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

By: _____

R-008-22 Resolution in Support of HB 66