

FIRST REGULAR SESSION

# SENATE BILL NO. 339

92ND GENERAL ASSEMBLY

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INTRODUCED BY SENATOR JACOB.

Read 1st time January 23, 2003, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

0744S.021

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## AN ACT

To repeal section 393.015, RSMo, and to enact in lieu thereof one new section relating to water corporations.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 393.015, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 393.015, to read as follows:

393.015. 1. Notwithstanding any other provision of law to the contrary, any sewer corporation, municipality or sewer district established under the provisions of chapter 249 or 250, RSMo, or sections 204.250 to 204.470, RSMo, or any sewer district created and organized pursuant to constitutional authority, may contract with any water corporation, municipality, or public water supply district established under chapter 247, RSMo, to terminate water services to any customer premises for nonpayment of a sewer bill. No such termination of water service may occur until **[thirty]** **ninety** days after the sewer corporation, municipality or statutory sewer district or sewer district created and organized pursuant to constitutional authority sends a written notice to the customer by certified mail, except that if the water corporation, municipality or public water supply district is performing a combined water and sewer billing service for the sewer corporation, municipality or sewer district, no additional notice or any additional waiting period shall be required other than the notice and waiting period already used by the water corporation, municipality or public water supply district to disconnect water service for nonpayment of the water bill. Acting pursuant to a contract, the water corporation, municipality or public water supply district shall discontinue water service until such time as the sewer charges and all related costs of termination and reestablishment of sewer and water services are

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

paid by the customer.

**2. Notwithstanding any provision of subsection 1 of this section to the contrary, water service to a residence located within Missouri shall not be disconnected, terminated, or discontinued for nonpayment of the water bill unless the noncurrent outstanding amount of the bill exceeds one hundred dollars.**

**3. Notwithstanding any provision of subsection 1 of this section to the contrary, water service to a residence located within Missouri shall not be disconnected, terminated, or discontinued for nonpayment of the water bill without the service provider first providing the residential customer with advance written notice of the proposed action. The notice shall be sent to the residential customer by certified mail and it shall be clearly written and shall include at least the following information: the proposed action, the proposed date of the proposed action, the cost of reconnection in the event of disconnection or termination of service, the reason for the proposed action, the exact amount of the arrearage, the address to which the customer should send payment, all actions which the residential customer must take to prevent the proposed action from occurring, and the telephone number or numbers the residential customer may call regarding the proposed action.**

**4. A water corporation, municipality, or public water supply district acting pursuant to a contract with a sewer corporation, municipality or sewer district as provided in subsection 1 of this section shall not be liable for damages related to termination of water services unless such damage is caused by the negligence of such water corporation, municipality, or public water supply district, in which case the water corporation, municipality, or public water supply district shall be indemnified by the sewer corporation, municipality or sewer district. Unless otherwise specified in the contract, all costs related to the termination and reestablishment of services by the water corporation, municipality or public water supply district shall be reimbursed by the sewer corporation, municipality, sewer district or sewer district created and organized pursuant to constitutional authority.**