



THE OFFICE OF SENATE MAJORITY WHIP

**LENA A. GONZALEZ**

SENATOR 33<sup>RD</sup> SENATE DISTRICT

## **SB 57 (Gonzalez) Moratorium on Utility Shutoffs During Extreme Weather**

### **SUMMARY**

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Senate Bill (SB) 57 will provide critical relief to California's most vulnerable populations by prohibiting residential electric, natural gas, and water utility shutoffs for nonpayment during extreme weather events, when the temperature falls below 32 degrees Fahrenheit or rises above 95 degrees Fahrenheit over a 24-hour period.

### **EXISTING LAW**

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SB 598 (Hueso, Chapter 362, Statutes of 2017) requires the California Public Utilities Commission (CPUC), which regulates investor-owned utilities (IOUs), to develop policies to reduce electric and natural gas shutoffs for nonpayment by residential customers and to collect data on residential disconnections. In addition, it specifically prohibits IOUs from disconnecting service for residents receiving a medical baseline allowance.

SB 998 (Dodd, Chapter 891, Statutes of 2018), the Water Shutoff Protection Act, prohibits urban and community water providers with 200 or more service connections from disconnecting water for residents for nonpayment for 60 days, and to follow certain procedures when pursuing residential shutoffs, including a written notice with information about appealing the bill or entering into an alternative payment plan. Moreover, SB 998 prohibits water providers from disconnecting residential users who demonstrate severe financial hardship or a qualifying life-threatening illness. It also requires water providers to adopt a water shutoff policy and post it to their website.

Executive Order (EO) N-42-20, by Governor Gavin Newsom, temporarily suspended all residential water disconnections for nonpayment in response to the widespread financial hardship brought on by the COVID-19 pandemic. The CPUC took complementary and temporary measures, prohibiting residential electric and gas utility disconnections for all IOUs.

Further, in 2020, the CPUC adopted D. 20-06-003 that permanently established the prohibition of disconnections during extreme weather conditions for IOUs. Like electric IOUs, D.20-06-003 requires gas utility IOUs to also avoid disconnection of residential customers when temperatures are expected to be below 32 degrees based on a 72-hour look-ahead period. In addition, some publicly-owned utilities (POUs), including the Los Angeles Department of Water and Power, have also adopted rules to prohibit residential utility service shutoffs for nonpayment during extreme weather.

### **BACKGROUND/PROBLEM**

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Residential utility disconnections by IOUs rose steadily beginning in 2010, before modestly declining in 2018 and 2019, followed by a sharp decline in 2020 as a result of prohibitions put in place during the COVID-19 pandemic. Even with a slight decline there were approximately 755,000 disconnections statewide in 2019 with the highest rates of disconnections occurring in areas with

greater proportions of Black, Latino, disabled, and low-income residents and renters.<sup>1</sup>

The loss of utility service causes tremendous hardship and undue stress, including increased health risk to vulnerable populations. Prolonged exposure to extreme heat and cold can impair the human body and its physiological processes, and exacerbate pre-existing conditions, such as heart and lung disease. In particular, exposure to extreme heat and cold is linked to increased hospital visits for heart attacks, strokes, dehydration, diabetes, and acute kidney failure. It also increases mental health-related emergency room visits, including for violence and self-harm, and premature births and stillbirths.<sup>2</sup>

While anyone can suffer from heat-related illnesses, certain groups are at a higher risk, including the elderly, young children, people with pre-existing conditions and disabilities, and the economically disadvantaged.

Heat-related deaths can be hard to identify, especially if they are not witnessed by a clinician. From 2010 to 2019, the hottest decade in California history, there were 599 heat-related deaths recorded, but some studies indicate that the actual number of heat-related deaths may be much higher than this.<sup>3</sup> Moreover, heat-related deaths and illnesses will continue to increase as climate change raises average temperatures, and creates more frequent and severe heat waves in California. During a heat wave in September 2022, numerous sites across the State hit record temperatures above 110 degrees Fahrenheit, with several approaching 120 degrees Fahrenheit. In Downtown Sacramento, temperatures reached 113 degrees Fahrenheit, breaking its 1988 record of 108 degrees.<sup>4</sup>

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<sup>1</sup> <https://www.cpuc.ca.gov/-/media/cpuc-website/divisions/office-of-governmental-affairs-division/reports/2020/2020-pu-code-9105-report.pdf>.

<sup>2</sup> <https://ehp.niehs.nih.gov/doi/10.1289/ehp.123-A275#:~:text=Between%20Extremes%3A%20Health%20Effects%20of%20Heat%20and%20Cold,of%20temperature-related%20health%20risks.%20...%203%20Interventions%20>.

<sup>3</sup> <https://www.latimes.com/projects/california-extreme-heat-deaths-show-climate-change-risks/>.

<sup>4</sup> <https://www.cbsnews.com/news/dangerous-heat-wave-breaks-at-least-a-dozen-records-in-california-as-state-prepares-for-hottest-day-yet/>.

## **SOLUTION**

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SB 57 will address the proliferation of utility service disconnections and extreme weather related illnesses and deaths exacerbated by climate change by creating a statewide standard for the continuation of utility service for residential customers during periods of extreme weather.

Specifically, SB 57 will prohibit public and private utility providers from disconnecting electric, natural gas, and water services to residential customers for nonpayment when the temperature outside falls below 32 degrees Fahrenheit or above 95 degrees Fahrenheit for a continuous 24-hour period. This bill will also require utility providers to engage in outreach prior to the summer season, to educate residents of their right to utility services when the weather conditions are extreme.

SB 57 does not erase utility debt for residential customers, but will simply delay utility shutoffs for nonpayment until it is safer to do so.

## **SUPPORT**

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Physicians for Social Responsibility Los Angeles (Sponsor)  
The Utility Reform Network (Sponsor)

## **CONTACT**

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