

Governor Phil Murphy

Governor Murphy Signs Bill Prohibiting Water and Wastewater Service Providers That Fail to Participate in Low Income Assistance Program from Shutting Off Service to Customers

04/5/2023

TRENTON – Governor Phil Murphy today signed S3333/A5020, prohibiting water utility providers that have not signed up to participate in the New Jersey Department of Community Affairs’ (DCA) Low Income Household Water Assistance Program (LIHWAP) from taking certain collection actions against customers with arrearages. Specifically, the bill prohibits public utilities, local authorities, and municipal utilities that provide water or wastewater services from assessing interest on arrearages, discontinuing services, or placing, selling, or enforcing a lien for unpaid balances if the utility provider has not signed the vendor contract required to receive LIHWAP payments.

“The residents of our state deserve to have access to essential utility services in their households no matter their income,” said Governor Murphy. “This Administration will continue to work in collaboration with the Legislature to prioritize the needs of hard-working New Jerseyans who should live without fear of these utilities being shut off.”

“The New Jersey Department of Community Affairs continues to urge utilities not yet participating in LIHWAP to get involved in the program so that their customers can take advantage of the available assistance,” said Lt. Governor Sheila Oliver, who serves as Commissioner of DCA, which administers the LIHWAP program. “For those utility companies that fail to participate in LIHWAP for whatever reason, the bill signed into law today protects their customers from having their water and sewer service turned off because of inability to pay. We thank Governor Murphy and those in the State Legislature who supported this bill for recognizing that people facing financial hardship shouldn’t suffer the indignity of having their water shut off.”

LIHWAP, which is funded by the U.S. Department of Health and Human Services and administered by DCA, provides benefits directly to water and wastewater providers on behalf of residential customers. The assistance can be used to:

- 1. Restore services where services have been terminated and pay reconnection fees and other charges accrued due to a disconnection;
2. Avoid service disruption for those residential customers who are in danger of disconnection (i.e., received shut-off notices or have past due balances) and to help them afford bill payment going forward; and
3. Support those household customers who are current in their bills but might be in danger of falling behind in the near future.

The bill also requires water and sewer service providers to provide notice about the LIHWAP program on every bill and written communication to a customer, and on their website, and provides disconnection protection for customers who have been approved by DCA to participate in the program. The bill also requires utility providers to provide customer arrearage data to DCA, which must treat this information as confidential, to facilitate DCA’s administration of the program. Providers are subject to penalties of \$500/day for discontinuing service to a customer in violation of the bill’s requirements, and \$100 for failure to advertise eligibility for the program.

The prime sponsors of this bill are Senator Nilsa Cruz-Perez and Assemblyman Bill Moen.

“The hard times continue for many low-income families and working people who struggled to make it through the pandemic and continue to struggle to make ends meet,” said Senator Nilsa Cruz-Perez. “They shouldn’t be forced to choose between food on the table or paying their water bills, especially when there is a program designed to help. This law will ensure that utility companies and the DCA are working together to increase participation and maximize available resources for those who need it.”

“For too many low-income residents in New Jersey, the cost of basic water and sewer services places a significant burden on already stretched household budgets. Our residents deserve access to safe and affordable water and sanitation services without having to make sacrifices elsewhere,” said Assemblyman Bill Moen. “This measure will enable us to increase participation in the Low-Income Household Water Assistance program, ensuring eligible New Jersey families have access to assistance needed to maintain or restore essential water services.”

This bill will take effect immediately and the requirements will remain in place until September 30, 2023.

DCA continues to urge New Jersey residents to apply for the LIHWAP program. To be eligible for LIHWAP assistance, applicants must be water/wastewater bill holders who are responsible for paying their water and sewer bills directly to the companies. Also, applicants’ total gross household income must be at or below 60% of the state median income (\$6,662 a month for a family of four). The LIHWAP frequently asked questions webpage (https://urldefense.com/v3/\_https://t.e2ma.net/click/biuqj/fhg2w78b/727752\_!!J30X0ZrnC1oQtbaIOS19nP3VmCXoNazOqgFM7\_XU2y6i3uDoJOBXPSNfL9nYbPqMKJQpJ8j8p10JUM\$) has additional information about maximum income limits and other items.

Households can visit the DCAid portal at www.nj.gov/dca/dcaid (https://urldefense.com/v3/\_https://t.e2ma.net/click/biuqj/fhg2w78b/nv8752\_!!J30X0ZrnC1oQtbaIOS19nP3VmCXoNazOqgFM7\_XU2y6i3uDoJOBXPSNfL9nYbPqMKJQpJ8j8p10JUM\$) to submit an application for LIHWAP, as well as other assistance programs. People who do not have access to computers or the internet can call 1-800-510-3102 to be directed to one of the community action agencies partnering with DCA to assist them with starting, completing, and submitting an application online.

LIHWAP applications are reviewed on a rolling basis and assistance is awarded on a first-come, first-served basis so applicants should not wait to apply.

Governor Phil Murphy

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