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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2620 Session of  
2020

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INTRODUCED BY A. DAVIS, MURT, KINSEY, CALTAGIRONE, SCHLOSSBERG,  
HILL-EVANS, BURGOS, GALLOWAY, T. DAVIS, SANCHEZ, ROZZI,  
HOWARD, MERSKI, KORTZ, MADDEN, WILLIAMS, GREEN, PASHINSKI,  
INNAMORATO, LEE, McCLINTON AND DELLOSO, JUNE 29, 2020

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REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, JUNE 29, 2020

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AN ACT

1 Providing for water hardship funds and for powers and duties of  
2 the Public Utility Commission and the Auditor General.

3 The General Assembly of the Commonwealth of Pennsylvania  
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Pennsylvania  
7 Water Hardship Fund.

8 Section 2. Definitions.

9 The following words and phrases when used in this act shall  
10 have the meanings given to them in this section unless the  
11 context clearly indicates otherwise:

12 "Commission." The Pennsylvania Public Utility Commission.

13 "Community sewage system." The term as defined in section 2  
14 of the act of January 24, 1966 (1965 P.L.1535, No.537), known as  
15 the Pennsylvania Sewage Facilities Act.

16 "Fund." Pennsylvania Water Hardship Fund.

17 "Household." An individual or group of individuals who are

1 living together as one economic unit and whose water or  
2 wastewater services are customarily purchased in common or who  
3 make undesignated payments for water or wastewater services as  
4 part of a rental payment. A boarder who is related to a member  
5 of the applicant household is considered to be a member of the  
6 household.

7 "Supplier of water." The term as defined in section 3 of the  
8 act of May 1, 1984 (P.L.206, No.43), known as the Pennsylvania  
9 Safe Drinking Water Act.

10 "Water or wastewater service." The provision of water  
11 service by a water supplier or the provision of wastewater  
12 service by an owner or operator of a community sewage system.  
13 Section 3. Water hardship funds.

14 (a) General rule.--A supplier of water or a community sewage  
15 system shall establish a water hardship fund to which  
16 residential customers may donate a minimum of one dollar and a  
17 maximum of \$500 per residential customer per year.

18 (b) Use.--Money in a water hardship fund shall be used by  
19 the supplier of water or community sewage system to pay  
20 delinquent residential water or wastewater service bills of  
21 customers within the supplier of water or community sewage  
22 system's network.

23 (c) Nondiscrimination.--Suppliers of water and community  
24 sewage systems may not discriminate against a customer and must  
25 fairly distribute money from a fund to qualified applicants.

26 Section 4. Applications.

27 (a) Eligibility.--A household applying for benefits from a  
28 water hardship fund must meet the following eligibility  
29 requirements:

30 (1) The household members must have an annual income at

1 or below 100% of the Federal poverty guidelines.

2 (2) The household must receive one of the following:

3 (i) A water bill from a supplier of water.

4 (ii) A wastewater bill from a community sewage  
5 system.

6 (iii) A bill that is a combination of subparagraphs  
7 (i) and (ii).

8 (3) The household must have a delinquent bill for water  
9 or wastewater services.

10 (b) Statement.--A supplier of water or community sewage  
11 system shall provide an accepted applicant a statement  
12 confirming payment made towards the household's water or  
13 wastewater bill from a water hardship fund.

14 Section 5. Reporting requirements.

15 Beginning one year after the effective date of this act, a  
16 supplier of water or community sewage system shall submit an  
17 annual report to the commission on the receipts and  
18 disbursements from its water hardship fund. The commission shall  
19 post the reports on its publicly accessible Internet website.

20 Section 6. Powers and duties of Auditor General.

21 (a) Performance audit.--The Auditor General shall conduct  
22 and complete a performance audit of each water hardship fund  
23 within five years of the effective date of this section.

24 Thereafter, the Auditor General shall conduct performance audits  
25 at intervals of not greater than five years from the date of  
26 completing the immediately preceding performance audit. The  
27 suppliers of water, community sewage systems and the commission  
28 shall make available for the inspection of the Auditor General  
29 all records, documents and other information that reasonably  
30 relate to the conduct of the performance audit prescribed. The

1 audit shall make detailed recommendations to the Governor, the  
2 General Assembly and the commission on changes, if any, in the  
3 water hardship funds that will further the purposes of this act.

4 (b) Distribution of performance audits.--A copy of each  
5 performance audit shall be transmitted to all of the following:

6 (1) The Governor.

7 (2) The chairperson and minority chairperson of the  
8 Appropriations Committee of the Senate and the chairperson  
9 and minority chairperson of the Appropriations Committee of  
10 the House of Representatives.

11 (3) The chairperson and minority chairperson of the  
12 Health and Human Services Committee of the Senate and the  
13 chairperson and minority chairperson of the Human Services  
14 Committee of the House of Representatives.

15 (4) The Attorney General.

16 (5) The Office of Inspector General.

17 (6) The commission.

18 (c) Fraud reporting.--The Auditor General shall transmit  
19 information uncovered during the conduct of the performance  
20 audit relating to fraud to the Attorney General, the Office of  
21 Inspector General and the commission.

22 Section 7. Effective date.

23 This act shall take effect in 90 days.