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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 374 Session of  
2021

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INTRODUCED BY A. DAVIS, HILL-EVANS, SCHLOSSBERG, SANCHEZ,  
PISCIOTTANO, CONKLIN, DEASY, HOHENSTEIN, LEE, GALLOWAY,  
CIRESI, SCHWEYER AND McCLINTON, FEBRUARY 3, 2021

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REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, FEBRUARY 3, 2021

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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 Water  
7 Hardship Fund Act.

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

16 "Fund." A water hardship fund established under section  
17 3(a).

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

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

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

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

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

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

26 Section 4. Applications.

27 (a) Eligibility.--A household may apply for benefits from a  
28 fund. The household must meet the following eligibility  
29 requirements:

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

or below 100% of the Federal poverty guidelines.

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

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

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

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

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

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

#### Section 5. Reporting requirements.

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

#### Section 6. Powers and duties of Auditor General.

(a) Performance audit.--The Auditor General shall conduct and complete a performance audit of each fund within five years of the effective date of this section. The Auditor General shall then conduct performance audits at intervals of not greater than five years from the date of completing the immediately preceding performance audit. The suppliers of water, community sewage systems and the commission shall make available for the inspection of the Auditor General all records, documents and other information that reasonably relate to the conduct of the performance audit prescribed. The audit shall make detailed

1 recommendations to the Governor, the General Assembly and the  
2 commission on changes, if any, in the funds that will further  
3 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 State Inspector General and the commission.

22 Section 7. Effective date.

23 This act shall take effect in 90 days.