



# Fact Sheet

## **Water Shutoff Protection Act FAQs SB 998 (Dodd, 2018)**

***These FAQs are advisory and do not bind the State Water Resources Control Board in any future decision.***

### **1. What is the Water Shutoff Protection Act?**

The Water Shutoff Protection Act (“Act”) was established when Senate Bill 998 was enacted ([Chapter 891, statutes of 2018](#)). It requires certain actions related to discontinuation of water service due to nonpayment by “urban and community water systems” (defined by the Act as [public water systems](#) that supply water to more than 200 service connections). The purpose of the Act is to increase protections to residents associated with discontinuation of water service due to nonpayment (“water shutoffs”). A growing number of Californians face challenges in meeting basic expenses such as tap water. The Act supports the policy goal that all Californians, regardless of whether they pay a water bill directly, should be treated fairly when faced with a delinquent water bill, and fair treatment should include the ability to contest a bill, seek alternative payment schedules, and demonstrate medical needs.

### **2. What does the Water Shutoff Protection Act require of water systems?**

The Water Shutoff Protection Act includes, but is not limited to, the following requirements for urban and community water systems:

- a. To adopt a written policy on discontinuation of water service for non-payment (“water shutoff policy”) that is compliant with the Act.
- b. To post the water shutoff policy on the system’s website, or if the system has no website, provide the policy to customers in writing upon request.
- c. To refrain from shutting off water service for non-payment for at least 60 days and adhere to specified procedures when pursuing water shutoffs. The procedures include, but are not limited to, providing notice in advance of any shutoffs for nonpayment and offering an appeal process for residents to contest a planned shutoff, and to arrange for alternate payment schedules or other means of accommodating financial hardships.
- d. To refrain from shutting off water service in certain specified conditions, such as a serious threat to life or health and safety of a resident or severe financial hardship.



- e. To restrict fees on reconnection of service as specified, for residents at or below 200% of the federal poverty level.
- f. To use specified notification procedures for properties with landlord-tenant relationships. For residential occupants who are tenants who have individual meters, these procedures include making a good faith effort to provide written notice of an imminent termination of service for the landlord's delinquency. The written notice must also inform these residential occupants that they have the right to become customers, to whom the service will then be billed, without being required to pay any amount which may be due on the delinquent account.
- g. To report the number of annual discontinuations of residential service for inability to pay on the system's website, if it has one, and to the State Water Resources Control Board, which must post the information on its website.

### **3. What must the “water shutoff policy” contain?**

The water shutoff policy must contain:

- a. A plan for deferred or reduced payments.
- b. Alternative payment schedules.
- c. A formal mechanism for a customer to contest or appeal a bill.
- d. A telephone number for a customer to contact to discuss options for averting water shutoff for nonpayment.

### **4. What are the compliance dates for the Water Shutoff Protection Act?**

The Water Shutoff Policy Act specifies two dates for compliance with its provisions. For urban and community water systems regulated by the CPUC, the compliance date is February 1, 2020. For urban water suppliers (defined in [Section 10617 of the Water Code](#)) not regulated by the California Public Utilities Commission (CPUC), the compliance date is also February 1, 2020.

For all other urban and community water systems, the compliance date is April 1, 2020.

(Note also that the Act does not contain any requirements for water systems serving fewer than 200 service connections).

### **5. What languages are required for the water shutoff policy?**

The water shutoff policy and related notices must be provided in English, in the languages listed in [Section 1632 of the Civil Code](#), and in any other language spoken by 10% or more of the customers residing in the water system's service area.

## **6. Who enforces the Water Shutoff Protection Act?**

The Act states that the State Water Resources Control Board may enforce the requirements for the shutoff policy and its website posting (or providing in writing upon request). For 2020, the Board will be collecting information to verify compliance through the electronic annual report water systems submit to the Board's Division of Drinking Water. In addition, the Act allows the Attorney General, at the request of the Board or upon his or her own motion, to bring an action in state court to restrain by temporary or permanent injunction the use of any method, act, or practice prohibited by the Act. For an urban and community water system regulated by the CPUC, the commission may bring an action in state court to restrain by temporary or permanent injunction the use by an urban and community water system regulated by the commission of any method, act, or practice declared in this chapter to be unlawful.

*(This fact sheet was last updated on January 10, 2020)*