

1 AN ACT relating to water districts and associations.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 278 IS CREATED TO  
4 READ AS FOLLOWS:

- 5 *(1) Any water district or water association formed for the purpose of furnishing*  
6 *water or sewer services to the general public for compensation pursuant to KRS*  
7 *Chapters 74 or 273 may assess a customer who fails to pay a bill for rendered*  
8 *services by the due date shown on the bill a late payment charge of ten percent*  
9 *(10%) of the amount billed.*
- 10 *(2) A late payment charge or fee shall not be assessed more than once per billing*  
11 *cycle or on any part of the late payment charge.*
- 12 *(3) Any payment received by a water district or water association shall first be*  
13 *applied to the portion of the bill for service rendered.*
- 14 *(4) The commission shall not modify, reject, discontinue, abolish, or suspend the*  
15 *operation of a late payment charge that is provided for currently, or has been*  
16 *provided for in the past, in a water district or water association tariff.*
- 17 *(5) A water district or water association shall not be required to demonstrate to the*  
18 *commission that the late payment charge is required to recover customer-specific*  
19 *costs incurred that would otherwise result in a monetary loss to the utility or*  
20 *increased rates to other customers to whom no benefits accrue from the service*  
21 *provided or actions taken.*

22 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 39A IS CREATED TO  
23 READ AS FOLLOWS:

- 24 *(1) During a declared emergency, no executive order, administrative regulation, or*  
25 *other guidance from a department or officer of state government shall be issued*  
26 *or promulgated that conflicts with any of the requirements or guidance,*  
27 *including advisory memoranda, that is issued by the United States Department of*

- 1 Homeland Security or its successor agencies regarding the classification or  
2 treatment of the employees of utilities subject to or created under KRS Chapters  
3 58, 96, 278, or 279, regional wastewater commissions subject to or created under  
4 KRS Chapter 65, regional water commissions subject to or created under KRS  
5 Chapter 74, metropolitan sewer districts subject to or created under KRS Chapter  
6 76, and sanitation districts subject to or created under KRS Chapter 220, as  
7 essential or critical infrastructure workers that are needed to ensure the  
8 continuity of functions critical to public health and safety or economic and  
9 national security.
- 10 (2) Beginning on the effective date of this Act, during a declared emergency, no  
11 current or future executive order, administrative regulation, or other guidance  
12 shall remain in effect or be issued or promulgated by a department or officer of  
13 state government that prohibits or otherwise impairs the right of a utility subject  
14 to or created under KRS Chapter 96 from:
- 15 (a) Terminating service for a customer's non-payment of a utility bill; or  
16 (b) Assessing or collecting its usual and customary fees or penalties for non-  
17 payment or delinquent payments of a customer's utility bill.