

HOUSE COMMITTEE AMENDMENTS

2024 Regular Session

Substitute for Original House Bill No. 574 by Representative Hilmerty as proposed by the House Committee on Municipal, Parochial and Cultural Affairs

This document reflects the content of a substitute bill but is not in a bill form; page numbers in this document DO NOT correspond to page numbers in the substitute bill itself.

To enact R.S. 33:4159.3, relative to the city of New Orleans; to provide relative to the sewerage and water board of New Orleans; to provide relative to bills for services provided by the board; to provide for fixed billing and dispute arbitration; and to provide for related matters.

Notice of intention to introduce this Act has been published as provided by Article III, Section 13 of the Constitution of Louisiana.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:4159.3 is hereby enacted to read as follows:

§4159.3. Residential customer billing; fixed rate; arbitration

A. The board shall present every residential customer with the option of paying a fixed monthly rate for services. The fixed rate available to a customer shall be determined by averaging the customer's recent bills, and the board shall notify each residential customer of the option for fixed rate billing and the amount he would pay each month. A customer who selects the fixed rate option shall be billed the specified monthly amount until an automated meter is installed and operable at his residence.

B. There is hereby established an arbitration program applicable to residential customers who dispute their bills from the board. The program shall function in accordance with the following requirements:

(1) The legislative auditor and the New Orleans inspector general shall, acting together, appoint one arbiter for each councilmanic district in New Orleans.

(2) If a customer disputes a monthly bill or the fixed monthly rate offered pursuant to Subsection A of this Section, his case shall be referred to the arbiter for the councilmanic district in which his residence is located.

(3) The arbiter shall meet with the customer in a private location in a public building within the councilmanic district and review all evidence available.

(4) Based on his review, the arbiter shall determine whether the bill amount or the proposed fixed rate amount is appropriate and if not, what the appropriate amount or rate is.

(5) If the arbiter determines that the appropriate bill or rate amount is lower than what has been submitted to the customer, he shall notify the board, and the board shall lower the amount or rate to that which the arbiter has determined is appropriate.

(6) If the customer is dissatisfied with the determination of the arbiter, the customer may appeal to the city council as otherwise provided by law.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB Draft

2024 Regular Session

Abstract: Provides relative to billing for services provided by the sewerage and water board of New Orleans.

Proposed law requires the sewerage and water board of New Orleans (the board) to present every residential customer with the option of paying a fixed monthly rate for services. Requires the board to notify each customer of the option for fixed rate billing and the amount he would pay each month. Provides that the fixed rate applies until an automated meter is installed and operable at his residence.

Proposed law provides for an arbitration program applicable to residential customers who dispute their bills. Requires the following with respect to the program:

- (1) The legislative auditor and the New Orleans inspector general shall appoint one arbiter for each councilmanic district in New Orleans.
- (2) If a customer disputes a monthly bill or the fixed monthly rate offered pursuant to proposed law, his case shall be referred to the arbiter for the councilmanic district in which his residence is located.
- (3) The arbiter shall meet with the customer in a private location in a public building within the councilmanic district and review all evidence available.

- (4) Based on his review, the arbiter shall determine whether the bill or fixed rate amount is appropriate and if not, what the appropriate amount or rate is.
- (5) If the arbiter determines that the appropriate bill or rate amount is lower than what has been submitted to the customer, he shall notify the board, and the board shall lower the amount or rate to that which the arbiter has determined is appropriate.
- (6) Provides that the customer may appeal the arbiter's determination to the city council as otherwise provided by present law.

(Adds R.S. 33:4159.3)