

SECOND REGULAR SESSION

HOUSE BILL NO. 2079

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE FUNDERBURK.

6334H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 393.015, RSMo, and to enact in lieu thereof one new section relating to terminations of water services.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 393.015, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 393.015, to read as follows:

393.015. 1. Notwithstanding any other provision of law to the contrary, any sewer corporation, municipality or sewer district established under the provisions of chapter 249 or 250, or sections 204.250 to 204.470, or any sewer district created and organized pursuant to constitutional authority, may contract with any water corporation, **any municipality providing water, or any water districts established under chapter 247, which for purposes of this section shall collectively be designated as a water provider**, to terminate water services to any customer premises for nonpayment of a sewer bill. No such termination of water service may occur until thirty days after the sewer corporation, municipality or statutory sewer district or sewer district created and organized pursuant to constitutional authority sends a written notice to the customer, except that if the water corporation is performing a combined water and sewer billing service for the sewer corporation, municipality or sewer district, no additional notice or any additional waiting period shall be required other than the notice and waiting period already used by the water corporation to disconnect water service for nonpayment of the water bill. Acting pursuant to a contract, the water [corporation] **provider** shall discontinue water service until such time as the sewer charges and all related costs of termination and reestablishment of sewer and water services are paid by the customer.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 2. A water [corporation] **provider** acting pursuant to a contract with a sewer corporation,
18 municipality or sewer district as provided in subsection 1 of this section shall not be liable for
19 damages related to termination of water services unless such damage is caused by the negligence
20 of such water [corporation] **provider**, in which case the water [corporation] **provider** shall be
21 indemnified by the sewer corporation, municipality or sewer district. Unless otherwise specified
22 in the contract, all costs related to the termination and reestablishment of services by the water
23 [corporation] **provider** shall be reimbursed by the sewer corporation, municipality, sewer district
24 or sewer district created and organized pursuant to constitutional authority.

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