



# 2023 AG REQUEST LEGISLATION

## UTILITY SHUTOFF MORATORIUM DURING EXTREME HEAT

### What is the problem?

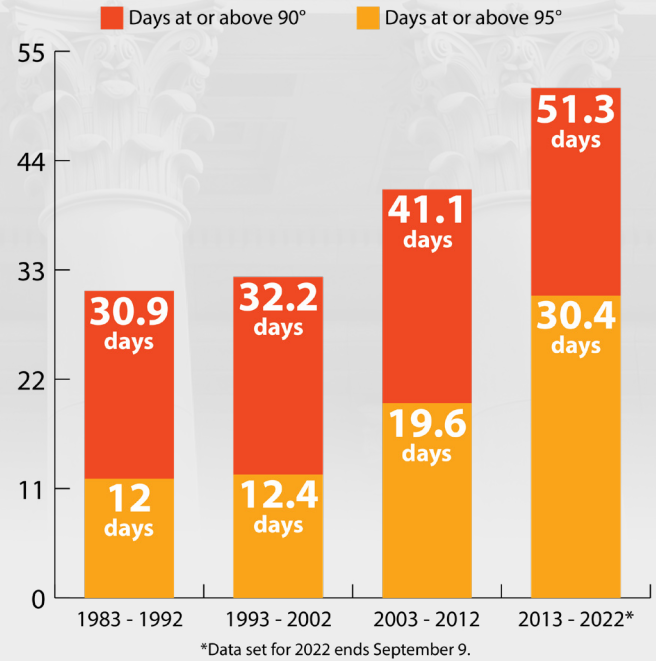
Washington is one of at least 38 states that prohibit utilities from shutting off heat for failure to pay during extreme cold weather. We do not, however, have any protections in statute for residents who are impacted by extreme heat waves.

The 2021 heat wave was the deadliest weather-related event in Washington history, claiming 157 lives. Extreme heat waves are particularly deadly for Washingtonians who lack access to power and water.

In 2021, Black, Indigenous and Pacific Islander communities were disproportionately represented in the [Department of Health's heat-related death data](#). Preliminary reports from county coroners and the Washington Department of Health indicate that excessive heat has killed at least 19 people in Washington State between July and September of this year. We can expect more deadly weather events as climate change causes longer, hotter, and more volatile summers. Washingtonian residents – of every income – need to retain their access to utilities during our increasingly common heat waves.

### Average Annual Days at or Above 90° & 95°

Yakima, by Decade, 1983-2022



### What are other jurisdictions doing?

19 other states and Washington DC have protections against utility shutoffs during extreme heat: Oregon, California, Nevada, Arizona, Colorado, Texas, Oklahoma, Arkansas, Louisiana, Mississippi, Missouri, Illinois, Wisconsin, Minnesota, Georgia, Maryland, Delaware, Rhode Island and New Jersey.

### What is the solution? **SB 5366 / HB 1329**

This legislation will prohibit utility providers from discontinuing electric service and drinking water to residential customers on days when the temperature is forecasted by the National Weather Service to be above 90° F. The legislation also ensures that residents in apartment buildings and mobile homes are not disconnected during extreme heat waves. This is consistent with laws that are working in other states.

This does not mean that customers do not have to pay their utility bills. This legislation simply protects human health and safety by preventing electricity and water shutoffs during extreme heat.



#### Prime Sponsor:

Sen. Nguyen (D-34)  
Rep. Mena (D-29)

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**“In a time when we are experiencing climate crisis with extreme heat and smoke, we need to ensure that we have basic provisions to protect our most vulnerable populations.”**

- Sen. Joe Nguyen

**“People with low incomes are getting hit hardest by recent shifts in weather patterns caused by climate change. They live in homes and apartments that are less likely to have energy efficiency upgrades or neighborhoods with few trees and limited shade. They are my neighbors, and yours. Now is the time for the state Legislature to support our vulnerable families and communities, not add to their hardships during the climate crisis.”**

- Marcy Bowers, Executive Director of the Statewide Poverty Action Network

**“Access to reliable and clean energy and water can have life or death consequences and this will only become more of an issue in the face of our changing climate. Thank you, Attorney General Ferguson for introducing this legislation to build more resiliency and protective measures around utility services for community members most impacted by the climate crisis.”**

- Rebecca Ponzio, Climate and Fossil Fuel Program Director for the Washington Environmental Council

**“Vulnerable populations need to be safeguarded. A moratorium is needed to prevent the disconnecting of utilities during heat waves to protect defenseless populations like the elderly, pregnant women, children, immigrants and those living in poverty including low-income neighborhoods. We urge policy makers to put in place protections for people’s health during periods of heat emergencies. Extreme heat is one of the greatest climate injustices vulnerable communities confront.”**

- Estela Ortega, Executive Director of El Centro de la Raza

**“Heat waves kill more people in the United States than any other form of extreme weather. As the founder of the WBBA, I keenly understand how this disproportionately impacts our Black and Brown communities. We are proud to lend a coalition of support from 240 Black, Indigenous and People of Color organizations in support of Attorney General Ferguson’s proposed legislation limiting a utility’s ability to shut off power for Washingtonians during unseasonably high and low temperatures. This good policy will save many lives.”**

- Paula Sardinas, President and Founder of the Washington Build Back Black Alliance