

JAN 19 2005
LOCAL GOVERNMENT

HOUSE FILE 84
BY FALLON

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to a delinquent amount owed to a city utility,
2 city enterprise, or combined city enterprise by a prior
3 account holder for a utility service.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

HC 84

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1 Section 1. Section 384.84, subsection 2, paragraph d, Code
2 2005, is amended to read as follows:

3 d. If a delinquent amount is owed by an account holder for
4 a utility service associated with a prior property or
5 premises, a city utility, city enterprise, or combined city
6 enterprise may withhold service from the same account holder
7 at any new property or premises until such time as the account
8 holder pays the delinquent amount owing on the account
9 associated with the prior property or premises. In addition,
10 a city utility, city enterprise, or combined city enterprise
11 shall not make a new owner or tenant responsible for a
12 previous delinquent amount incurred by the former owner or
13 tenant of the property or premises without proof of a contract
14 making the account holder at any new property or premises
15 responsible for any delinquent amount. In the absence of such
16 a contract, a city utility, city enterprise, or combined city
17 enterprise may pursue the appropriate legal remedies against
18 the prior account holder.

19 EXPLANATION

20 This bill provides that a city utility, city enterprise, or
21 combined city enterprise shall not make a new owner or tenant
22 responsible for a previous delinquent amount incurred by the
23 former owner or resident of the property or premises without
24 proof of a contract making the account holder at any new
25 property or premises responsible for any delinquent amount.
26 In the absence of such a contract, a city utility, city
27 enterprise, or combined city enterprise may pursue the
28 appropriate legal remedies against the prior account holder.

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