WEST virginia legislature

2022 regular session

Committee Substitute

for

House Bill 3231

By Delegates Conley and Riley

[Reported January 20, 2022; Originating in the Committee on the Judiciary]

A BILL to amend and reenact §24-3-8 of the Code of West Virginia, 1931, as amended, relating to public utility security deposits and interest thereon; prohibiting the charging of interest on security deposits held for up to eighteen months; and updating reference to prior law.

Be it enacted by the Legislature of West Virginia:

ARTICLE 3. DUTIES AND PRIVILEGES OF PUBLIC UTILITIES SUBJECT TO REGULATIONS OF COMMISSION.

§24-3-8. Deposits; interest.

(a) No public utility shall require any deposit of any residential customer which shall exceed one twelfth of the estimated annual charge to the customer for such service: *Provided,* That the provisions of this section shall not apply to deposits received prior to ~~the effective date of this act~~ March 12, 1983.

(b) Public utilities may collect and hold a security deposit in accordance with this statute and the rules established by the commission. No interest shall be payable on security deposits when a deposit is, no later than 30 days following the date of the end of the eighteenth month of service, either (1) applied as a credit to the customer’s account, or (2) returned or refunded to the customer by some other means.

NOTE: The purpose of this bill is to provide that public utilities not required to pay interest on security deposits held for up to eighteen months.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.