

**No. 111. An act relating to terminating propane service.**

(H.609)

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 9 V.S.A. § 2461b is amended to read:

§ 2461b. REGULATION OF PROPANE

(a)(1) In this section:

(A) “Consumer” means any person who, for consumption and not for resale, purchases propane ~~for consumption and not for resale~~ through a meter or has propane delivered to one or more storage tanks of 2,000 gallons or less.

(B) “Seller” means a person who sells or offers to sell propane to a consumer.

(C) “Terminates service” means that a seller:

(i) disconnects, removes, or locks off that seller’s propane tank;

(ii) reads a meter with the purpose of terminating service; or

(iii) takes other action that evidences an intent to terminate a service relationship with a consumer or evidences knowledge that the consumer requested termination of service.

(2) The Attorney General shall investigate irregularities, complaints, and unfair or deceptive acts in commerce by sellers.

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(e) When terminating service to a consumer, a seller shall comply with the following requirements.

(1)(A) If the propane storage tank has been located on the consumer’s premises, regardless of ownership of the premises, for 12 months or more, the

seller may not assess a fee related to termination of propane service, including a fee:

- (i) to remove the seller's storage tank from the premises;
- (ii) to pump out or restock propane; or
- (iii) to terminate service.

(B) If a consumer has received propane service from the seller for less than 12 months, any fee related to termination of service may not exceed the disclosed price of labor and materials.

(2) Subject to subdivision (h)(5) of this section:

(A) Within 20 days of the date when the seller ~~disconnects propane~~ terminates service or is notified by the consumer in writing that service has been disconnected, whichever is earlier, the seller shall refund to the consumer the amount paid by the consumer for any propane remaining in the storage tank, less any payments due the seller from the consumer.

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## Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.

Date Governor signed bill: April 24, 2014