FACT SHEET

STATE LAWS TO PREVENT UTILITY SHUTOFFS DURING EXTREME HEAT

The health impacts of heat exposure are often misunderstood and underestimated. However, heat is the number one weather-related killer in the United States. And as we increasingly experience the impacts of climate change, temperatures are trending up, with the most recent years being the hottest on record. People can be exposed to dangerous heat during multiple essential parts of their day: at home, at work, and at school. Longer exposure and higher temperatures increase the risk for heat-related impacts such as heat cramps, heat exhaustion, heat stroke, and even death. Exposure to excess heat can also have long-term health consequences, such as cardiovascular disease and kidney disease. Like most public health concerns, exposure to extreme heat affects individuals differently, with older adults, children, pregnant people, and people with chronic disease at higher risk of negative outcomes. These risks can be mitigated by law and policy interventions that preserve access to cooling equipment and the resources to use that equipment.

States and localities are using a variety of law and policy strategies to ensure access to cooling technologies that can keep people safe from unhealthy levels of heat at home and at work. However, these efforts can be ineffective for households and families that face energy insecurity. Energy insecurity – the inability to adequately meet household energy needs – contributes significantly to both the duration and degree of heat exposure experienced during summer months because households facing energy insecurity are less likely to utilize available cooling equipment. Households that pay a greater percentage of their income on energy to cool homes may also forgo other essential needs, such as food or medication, in order to cool their homes to safe levels during extremely hot weather. Cooling costs can be particularly burdensome for homes in urban heat islands, unweatherized homes, and mobile homes, which require more energy to cool. And when energy insecurity results in electricity disconnection, heat exposure in these already hot settings is compounded.

Electricity costs this summer are anticipated to increase *10.5% over last year to nearly $800* – an increase of nearly 40 percent from 2020.

-Data from National Energy Assistance Directors Association and the Center for Energy Poverty and Climate

Energy insecurity is already widespread in the United States, with nearly one-third of households (about 43 million households) experiencing some form of insecurity in 2024, and about 25 percent of households forgoing food or medicine to pay for energy costs. An even larger percentage – 42 percent - of households with children under 18 are energy insecure. The most recent data from the U.S. Energy Information Administration revealed alarming numbers of electricity disconnections due to past due bills – in 2024 electric utilities disconnected electricity 13 million times due to non-payment of bills, with about 3 million disconnections between June 1 and August 31.

The inequities that result in poorer health outcomes from heat exposure for some communities are intersectional and pervasive, with Black, Hispanic and Native American people often facing greater risk of illness and death from heat exposure in the places they live and work. According to preliminary data from the

U.S. Energy Information Administration's Residential Energy Consumption Survey, at least half of Black, Hispanic, and Native American households experienced energy insecurity in 2024. These groups also more often live in heat islands and are more frequently exposed to extreme heat on the job. These factors contribute to higher rates of heat-related illness and death.

Black Americans bear some of the highest burdens when it comes to heat-related illness. Many Black Americans live in urban heat islands, where racially discriminatory zoning, lending, and housing laws also systematically reduced Black Americans' wealth, and later rezoning allowed for unhealthy uses such as the dumping of industrial and toxic waste. With fewer trees and less investment in cooling infrastructure the comparatively faster rising temperatures in urban heat islands increase the costs of cooling homes and rates of energy insecurity. Policies that prohibit the disconnection of electricity in these high heat areas are particularly important to prevent heat related illness and death in these communities.

Latino/a American communities also are at high risk of health problems from heat exposure at home and at work. Latino/a American families are more likely to live in urban heat islands, and disproportionately work outdoors in industries like agriculture and construction, which expose workers to safety risks from heat during the day. Heat exposure at work can compound for individuals who are unable to cool off in the evening at home, making high nighttime temperatures particularly risky for workers exposed to heat on the job. Relatively high rates of energy insecurity make it even more difficult for many workers and families to cool off at night. With these increased exposures to heat, there is a need to prioritize uninterrupted access to cooling at night for many Latino/a Americans.

Native Americans are also disproportionately at higher risk of illness or death from increased heat exposure. Some tribal lands tend to have higher heat exposures due to a lack of tree cover and low precipitation. High energy burdens and economically inaccessible electricity compound the exposure: limiting access to cooling resources capable of mitigating health risks from heat exposure. Laws suspending utility disconnections can address at least a portion of these concerns.

Urban heat islands can be 5-10° hotter than other neighborhoods.

A historical lack of investment in infrastructure in urban heat islands has resulted in less tree canopy cover, more heat absorbent building materials, and a greater expanse of nonreflective pavements, that all combine to concentrate and amplify heat.

The lack of investment and needed infrastructure are due to a myriad of racially discriminatory zoning and housing laws. For generations, especially between 1910 and 1948, individual White homeowners with nearby access to parks, greenspace and desirable infrastructure would only sell their homes to other White people, often solidifying this practice via restrictive covenants in deeds that prohibited sale to people of color. After the Great Depression, federal mortgage lenders categorized homes located in ethnically and racially diverse neighborhoods as risky financial investments; making it harder to get loans for these homes, and limiting property value growth and infrastructure investment in these areas. This practice became known as redlining, and while it was outlawed by the Fair Housing Act in 1968, the effects of redlining had already begun to compound, and persist today, contributing to higher

Laws and policies that prevent electricity disconnection during hot weather are just one of many policies needed to reduce health inequities resulting from heat exposure. These policies can, however, help keep people experiencing urban heat islands, inequitable access to electricity, and energy unaffordability, safer when exposed to unhealthy levels of heat. To better understand the extent to which state laws and policies prevent electricity disconnections for non-payment when heat rises to unhealthy levels, we surveyed state laws for policies that prevent or suspend electricity disconnections during hot weather. In particular, we were interested in which states have such policies, how and when these laws trigger disconnection suspensions, which households are protected from disconnection, and whether state laws also include specific policies establishing specialized payment plans or reconnection requirements during hot weather.

Laws and Policies Suspending Electricity Disconnections When Temperatures Rise to Unhealthy Levels

When a household cannot afford electricity, decisions about what to forgo must be made – a household may opt to pay their electricity bill by forgoing other necessities like food and medication, or a household may fall behind on energy bills, which can result in the electric company disconnecting service to the household. Beyond extreme temperature exposure, electricity disconnections also come with a host of other health risks that may impact a family's wellbeing, including the inability to operate essential medical equipment or lost access to healthy perishable food stored in the refrigerator.

While the process varies by state and utility, nearly all states require utility companies to provide notice prior to disconnecting electricity for non-payment. States may also require utilities to offer deferred payment plans, or have policies to prevent disconnections for aging individuals or individuals with disability or chronic medical conditions, but these programs may require documentation of age or medical condition or impose other administrative requirements that can hinder participation. Once power is disconnected, individuals and families seeking reconnection can face financial penalties that can be insurmountable, such as late fees, reconnection fees, and interest.

Nearly one-third of households (about 43 million) experienced energy insecurity in 2024, and about 25 percent of households sacrificed food or medicine to pay for energy costs.

Preliminary Date from the U.S. Energy Information Administration, Residential Energy Consumption Survey

During winter months, all but six states have policies to help prevent disconnections for non-payment. States use different terminology for these policies – electricity shutoff moratoria, disconnection protections, cold-weather protections – but they generally prevent utility companies from disconnecting power sources during winter months or on cold days. These cold-weather protections may also include added protection for individuals facing energy insecurity, in some cases preventing disconnection during the entire cold weather season or establishing special provisions that limit monthly payments to a specified percentage of the customer's income.

As temperatures rise due to climate change, there is an increased need for similar protections to prevent disconnections when heat rises to unhealthy levels. Only one-half of U.S. states, plus D.C., have policies and laws that prevent electricity shutoffs due to non-payment during high heat times of the year. These state-wide policies are found in statutes and regulations applicable to electric utilities, or orders issued by the state utility regulator. Generally, laws pausing disconnection are triggered by one or more of three thresholds: a heat-related weather alert issued by the local National Weather Service (NWS) office, temperature or heat index thresholds, or specific time periods. In some states, the laws only protect specific populations, such as lower income individuals, the elderly, or individuals with health conditions or disabilities. Most states prevent disconnection only on the day a heat threshold is met – meaning the disconnection could occur once the immediate heat threat subsides, without any guarantee that electricity will be available next time it becomes too hot. A handful of state policies also include repayment provisions that apply when the heat threshold is triggered. These provisions can help individuals retain electricity by eliminating late fees and interest charges, providing installment payment agreements, and/or requiring additional notice/customer contact before disconnection. While electricity reconnection can be contingent on customer payment of fees or fines, making it even harder for families who have been disconnected to regain access to cooling resources at home, a few states do provide important policies requiring utilities to reconnect electricity when heat thresholds are met, even if customers have previously been disconnected due to non-payment.

Review of Statewide Laws and Policies

The following chart summarizes state laws and policies suspending utility disconnections during hot weather, with the goal of better understanding the specific thresholds that trigger suspension, any eligibility limitations, and any repayment or reconnection policies that might help prevent disconnection or aid with reconnection during times of high heat. These laws and policies were identified using the following search terms in Westlaw: utility, National Weather Service, and hot weather. Many of the identified laws and policies include terminology such as Summer Disconnection, Summer Termination, Extreme Weather, Extreme Heat, or Extreme Temperature. While this resource does include state utility regulators' generally applicable orders, it does not include provisions found in orders that apply only to specific electric providers.

- *Thresholds:* Most policies establish thresholds based on National Weather Service heat alerts or temperatures or heat indices ranging from 90° F to 105° F. Heat indices combine heat and humidity into a measure of what the temperature feels like to the human body. Only Nevada's criteria are based on multiple factors, including area of the state, age or disability status, and type of home. Two states, New Jersey and Arizona, establish electricity shut-off moratoria during specified summer months – although Arizona utilities can choose whether to apply the temperature or date-based threshold.

- *Duration*: In most cases the disconnection suspension lasts only the day the threshold is met, however a few states suspend disconnection for two or three days before or after the threshold is met. New York is unique in its approach of suspending disconnection for 2 extra days in urban heat islands, however the state has not yet finalized a generally applicable definition of urban heat island.

- *Eligibility:* A few states limit eligibility for these programs to older customers, individuals with a disability or medical condition, and/or lower income households, with New Jersey allowing customers to self-certify an inability to pay due to circumstances beyond the customer's control, such as illness, unemployment, medical expenses, or death in the family.

- *Payment Programs:* During summer months or high heat days, some states provide special payment plans or waive reconnection fees or other financial penalties for non-payment. While many states have similar payment plans or waivers that apply year-round or during winter months, this resource includes only those payment provisions that specifically apply during summer months or when heat thresholds are met – this resource does not include general payment policies or payment policies that apply year-round.

- *Reconnection:* A limited number of state laws and policies include special provisions supporting reconnection during hot weather. At least one law requires the customer to request reconnection and other laws require a repayment plan as a prerequisite to reconnection. This resource only includes those reconnection provisions that specifically apply during summer months or when heat thresholds are met – this resource does not include general reconnection policies or reconnection policies that apply year-round.

Statewide Laws Suspending Electricity Disconnection During Hot Weather

Enacted or adopted as of May 31, 2026

		Suspension Threshold					
	Citation	**Nat. Weather Serv. Alert[1]**	**Temp.**	**Duration**	**Time Period**	**Extreme Heat Related Reconnection and Payment Provisions[2]**	**Eligibility and other Notes**
AZ	Ariz. Admin. Code § R14-2-211(A)(11)-(13)		95° F	when threshold met	June 1-Oct 15	Payment for electricity used during moratorium not due until moratorium expires. Thereafter option for installment payments. No late fees or interest for use from June 1-Oct 15.	Utility may apply either temp. based or time-based prohibition.
AR	Code Ark. Rules § 23-455-618(f)		95° F	forecast to occur within 24 hours			Only available for people with a disability and those aged 65+. Individuals with a disability must provide certification of severe physical or mental impairment that substantially limits their ability to pay.
CA	Cal. Pub. Util. Comm'n Rulemaking 18-07-005, D.20-06-003		100° F	forecast within 72 hours			On July 16, 2026 Cal. Pub. Util. Comm'n Res. E-5468 created a new suspension threshold = CalHeatScore (CHS)[3] Level 2[4], to be implemented within 6 months. When CHS data are unavailable an interim and fallback suspension threshold of 90° F forecast within 72 hours will apply.
CO	4 Colo. Code Regs. § 723-3-3407(e)(VII)(B)		95° F	forecast within 24 hours			

[1] The local National Weather Service (NWS) office identifies the conditions that trigger Heat Advisories, Extreme Heat Watches, and Extreme Heat Warnings. In March 2025 NWS, renamed some thresholds: an Excessive Heat Watch was renamed an Extreme Heat Watch, and an Excessive Heat Warning was renamed an Extreme Heat Warning.

[2] This column only includes those repayment and reconnection provisions that specifically apply during summer months or when heat thresholds are met – this resource does not include general repayment of reconnection policies or repayment or reconnection policies that apply year-round.

[3] CHS is a region-specific metric quantifying relative heat related health risk using historical data connecting climate patterns to human health impacts. The final DHS dataset is expected to be available in summer 2026.

[4] Level 2 equates to a region-specific apparent temperature range between about 94 and 98° F.

		Suspension Threshold					
	Citation	Nat. Weather Serv. Alert[1]	Temp.	Duration	Time Period	Extreme Heat Related Reconnection and Payment Provisions[2]	Eligibility and other Notes
DE	Del. Code tit. 26 § 117(e)-(f), tit. 22 § 1319		95° Heat Index	day of		From June 1-Sept. 30: 14-day written notice and 1 attempted phone, text, or email contact required before terminating service. To avoid termination, customer may enter into payment installment agreement. Customer must be notified that termination will occur when heat trigger expires unless payment arrangements are made.	Forecast at airport in the county of dwelling.
DC	D.C. Code § 34–1506.01		95° F	day forecast + day before			
GA	Ga. Comp. R. Regs. R. 515 515-3-2-.04	Heat Advisory Excessive Heat Warning		day of			In county of the dwelling.
IL	220 Ill. Comp. Stat. 5/8-205	Excessive Heat Watch Heat Advisory Excessive Heat Warning	90° F	forecast in next 24 hours			
IN	Ind. Code § 8-1-2-121 IN House Bill 1002		95° Heat Index				Eligibility: customers who are eligible and have applied for assistance under a heating assistance program during the calendar year in which the forecast is made.
LA	La. Pub. Serv. Comm'n General Order R-29706	Excessive Heat Warning		on days condition exists			Within parish.
ME	Code Me. R. § 65-407, Ch. 815 § 10	Heat Advisory		when in effect			

		Suspension Threshold					
	Citation	Nat. Weather Serv. Alert[1]	Temp.	Duration	Time Period	Extreme Heat Related Reconnection and Payment Provisions[2]	Eligibility and other Notes
	2023 Me. Acts Ch. 145	Excessive Heat Warning					
MD	Md. Regs. Code Pub. Serv. Comm'n §§ 20.31.03.04(B), 20.31.01.02(B)(9)(b)		95° F or Heat Index	forecast during a 72 hour window	.		
MI	Mich. Admin. Code § 460.134						Utilities must adopt criteria or factors it follows in suspending disconnection of service during extreme hot weather.
MN	Minn. Stat. § 216B.0975	Excessive Heat Watch Heat Advisory Excessive Heat Warning		when in effect			Within county.
MS	Miss. Admin. Code 39 § 8.125(3)	Excessive Heat Warning		on day issued			Within county.
MO	Mo. Rev. Stat. §393.108		95° F or 105° Heat Index	forecast within 72 hours	June 1 – Sep 30		Applies only if temp. threshold and time threshold are both met.
NV	Nev. Admin. Code § 704.375(7)		Ranges from 95-105°F	forecast within a 24 hour period			Temp. threshold based on age, disability status, region, and type of home. Household with person aged 62+ or a disabled person: • Northern Nevada: 95° • Southern Nevada: ○ 100° for mobile homes ○ 103° other homes All other Households: 105°

		Suspension Threshold					
	Citation	Nat. Weather Serv. Alert[1]	Temp.	Duration	Time Period	Extreme Heat Related Reconnection and Payment Provisions[2]	Eligibility and other Notes
NJ	N.J. Stat. §§ 40A:5A-31, 48:2-29.56b N.J. Bd of Pub. Utilities Docket AX26040108, May 21, 2026				June 15 - Aug 31	For eligible customers, previously terminated service will be restored on June 15, without a reconnection fee. No security deposit for eligible customer from June 15 – Aug. 31. Deferred payment programs to be discussed during this time period.	Program only available for recipients of specified assistance programs, or those who self-certify an inability to pay due to circumstances beyond their control, such as, illness, unemployment, medical expenses, or family death.
NY	N.Y. Pub. Serv. Comm'n Case 24-M-0586, March 19, 2026		90° Heat Index	forecast or reached on day of disconnect + 2 days in Heat Islands			Final criteria to identify heat islands not yet developed. For summer 2026, temporary individualized heat islands must be identified by June 1, 2026.
OK	Okla. Stat. § 165:35-21-10 (c)(2)		101° Heat Index	forecast or reached on day of disconnect			
OR	OR. Admin. R. §§ 860-021-0008, 0330, 0407	Extreme Heat Warning Extreme Heat Watch Heat Advisory		from 24 hours prior to 48 hours post heat event		On request, service will be reconnected within 7 days after heat event for customers who were disconnected for non-payment within 7 days prior to heat event. Customers in utility's income-qualified bill discount program or with a medical certificate on file are not subject to reconnection fees.	
RI	R.I. Code 810-10-00-1 1.17(F)	Heat Advisory Excessive Heat Warning		day of			
TX	Tex. Admin. Code §§ 25.29(i), .480, .483(j)(1)	Heat Advisory		day of + 2 days		Upon request, deferred payment plan for bills due during advisory. For bills due in July- Sept., if requested, payment plan for Critical Care and Chronic Condition customers and customers unable to pay, unless the customer was disconnected in the last year, had	

		Suspension Threshold					
	Citation	Nat. Weather Serv. Alert[1]	Temp.	Duration	Time Period	Extreme Heat Related Reconnection and Payment Provisions[2]	Eligibility and other Notes
						insufficient funds for 2 payments, or has been a customer for < 3 months and lacks sufficient credit. Payment plan is either: • deferred payment plan paid over at least 5 billing cycles, with initial payment ≤ 50% • Level/average payment plan	
VA	Va. Code § 15.2-2121.2 Va. Code § 56-245.1:3		92° F	within 24 hours following the scheduled disconnect			
WA	Wash. Rev. Code §§ 23.86.405, 24.06.610, 35.21.302, 54.16.285(5), 59.18.060 (11), 59.20.070(7), 80.28.010(8), 87.03.015(2)	Excessive Heat Warning Heat Advisory Excessive Heat Watch Similar Heat-Related Alert		day of		Individuals whose service has been disconnected due to non-payment can request reconnection on days of heat alert. Utility must promptly make reasonable attempts to reconnect service. However, the utility may first require a repayment plan designed to pay current and past due bills by May 15th. This repayment plan shall not require any payments greater than 6% of the customer's monthly income.	
WI	Wis. Admin. Code § PSC 113.0301(16)	Heat Advisory Heat Warning Heat Emergency				Utility must make reasonable attempts to reconnect service if customer relays a potential threat to health or life from combination of heat and loss of service.	

Conclusion

As climate change increasingly causes temperatures to rise, all states should consider adopting policies that prevent electricity disconnections when heat reaches unhealthy levels. Similar policies in nearly every state that operate to protect households from unhealthy levels of cold weather may be a starting point for discussions around hot weather protections. To ensure that individuals experiencing energy insecurity, particularly those facing even higher costs and heat risks resulting from discriminatory policies, urban heat islands, and heat exposure at work, such policies should:

- apply broadly during all times when heat may threaten health, and
- include payment options that can protect a broad swath of customers from disconnection, and
- require reconnection for previously disconnected households when heat levels become unhealthy.

This document was developed by Betsy Lawton, JD, Deputy Director, Climate and Health, and Suha Iqbal, Summer Legal Extern, Northeastern University School of Law. The Network promotes public health and health equity through non-partisan educational resources and technical assistance. These materials provided are solely for educational purposes and do not constitute legal advice. The Network's provision of these materials does not create an attorney-client relationship with you or any other person and is subject to the *Network's Disclaimer*.

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