

§2706. Civil liability for utility services wrongfully obtained

A person may not obtain utility services by deception, threat or force or any other means designed to avoid due payment for the services that the person knows are available only for compensation and a person may not, having control over the disposition of utility services of another to which the person knows the person is not entitled, divert such utility services to the person's own benefit or to the benefit of some other person who the person knows is not entitled to the utility services. A person who violates this section is liable in a civil action to the utility providing the service for: [PL 2007, c. 553, §2 (NEW).]

1. Cost of service. The cost of the utility services wrongfully obtained or diverted plus interest on the value of those services based on an annual interest rate of 5%; [PL 2007, c. 553, §2 (NEW).]

2. Other costs. All other reasonable costs to the utility, including attorney's fees and costs of undertaking and completing the investigation resulting in a determination of liability under this section; and [PL 2007, c. 553, §2 (NEW).]

3. Civil penalty. A civil penalty not to exceed \$3,000 due and payable to the utility for each violation of this section. [PL 2021, c. 318, §9 (AMD).]

A person who is liable under this section may not pass on the cost of that liability, including any civil penalty assessed, to any tenants of that person who received diverted or wrongfully obtained utility services due to the actions of the liable person. [PL 2007, c. 553, §2 (NEW).]

SECTION HISTORY

PL 2007, c. 553, §2 (NEW). PL 2021, c. 318, §9 (AMD).

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