

AN ACT

relating to discounts or other forms of pricing flexibility for telecommunications services.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 51.004, Utilities Code, is amended by amending Subsection (a) and adding Subsections (c) and (d) to read as follows:

(a) A discount or other form of pricing flexibility may not be:

(1) unreasonably preferential, prejudicial, or discriminatory; or

(2) [~~r~~] predatory[~~r~~] or anticompetitive.

(c) This title allows an offer based on a reasonable business purpose, including an offer made at any time to a selected customer or a group of customers in response to a competitor's offer or a former customer's acceptance of a competitor's offer if the price of the offer meets the requirements of Section 52.0584, 58.063, or 59.031.

(d) An offer made under Subsection (c) must be made in compliance with Chapter 43, Business & Commerce Code, as added by Chapter 1429, Acts of the 77th Legislature, Regular Session, 2001.

SECTION 2. This Act takes effect September 1, 2003.

S.B. No. 732

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 732 passed the Senate on April 22, 2003, by a viva-voce vote.

Secretary of the Senate

I hereby certify that S.B. No. 732 passed the House on April 30, 2003, by a non-record vote.

Chief Clerk of the House

Approved:

Date

Governor