

By: Van de Putte

S.B. No. 1821

A BILL TO BE ENTITLED

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AN ACT

relating to the use of credit scoring and credit history by certain telecommunications and electric service providers.

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

SECTION 1. Section 17.004, Utilities Code, is amended by amending Subsection (a) and by adding Subsection (h) to read as follows:

(a) All buyers of telecommunications and retail electric services are entitled to:

(1) protection from fraudulent, unfair, misleading, deceptive, or anticompetitive practices, including protection from being billed for services that were not authorized or provided;

(2) choice of a telecommunications service provider, a retail electric provider, or an electric utility, where that choice is permitted by law, and to have that choice honored;

(3) information in English and Spanish and any other language as the commission deems necessary concerning rates, key terms and conditions, and the basis for any claim of environmental benefits of certain production facilities;

(4) protection from discrimination on the basis of race, color, sex, nationality, religion, marital status, income level, credit history, credit score, or source of income and from unreasonable discrimination on the basis of geographic location;

(5) impartial and prompt resolution of disputes with a

1 certificated telecommunications utility, a retail electric
2 provider, or an electric utility and disputes with a
3 telecommunications service provider related to unauthorized
4 charges and switching of service;

5 (6) privacy of customer consumption and credit
6 information;

7 (7) accuracy of metering and billing;

8 (8) bills presented in a clear, readable format and
9 easy-to-understand language;

10 (9) information in English and Spanish and any other
11 language as the commission deems necessary concerning low-income
12 assistance programs and deferred payment plans;

13 (10) all consumer protections and disclosures
14 established by the Fair Credit Reporting Act (15 U.S.C. Section
15 1681 et seq.) and the Truth in Lending Act (15 U.S.C. Section 1601
16 et seq.); and

17 (11) after retail competition begins as authorized by
18 the legislature, programs provided by retail electric providers
19 that offer eligible low-income customers energy efficiency
20 programs, an affordable rate package, and bill payment assistance
21 programs designed to reduce uncollectible accounts.

22 (h) In this section:

23 (1) "Credit history" means information regarding an
24 individual's past history of:

25 (A) financial responsibility;

26 (B) payment habits; or

27 (C) creditworthiness.

1 (2) "Credit score" means a score, grade, or value that
2 is derived by using data from a credit history in any type of model,
3 method, or program for the purpose of grading or ranking credit
4 report data, whether derived electronically, from an algorithm,
5 through a computer software application model or program, or
6 through any other analogous process.

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