

Amend CSHB 2335 (committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering the subsequent SECTION accordingly:

SECTION 11. Subchapter A, Chapter 17, Utilities Code, is amended by adding Section 17.008 to read as follows:

Sec. 17.008. RELIEF PROGRAM FOR CERTAIN MEMBERS OF ARMED FORCES. (a) In this section, "service member" means a member of the Texas National Guard or a reserve component of the United States armed forces called to federal active duty for any national emergency or other deployment for a period of at least 180 days away from the primary residence.

(b) The commission shall adopt and enforce rules to establish a levelized payment plan for service members and their dependents. The rules must require that, on the request of a residential customer who is a service member or a dependent of a service member who resides at the service member's main residence, an electric

utility, retail electric provider, power generation company, aggregator, or other entity that provides retail electric service to the residential customer shall provide a levelized payment plan for the residential customer. The service member or the service member's dependent must provide to the entity providing service a copy of the military orders calling the service member to active duty. The levelized payment plan must:

(1) allow the residential customer to negotiate a fixed monthly payment up to 9 months equal to or greater than 75 percent of the service member's average bill for the previous 12 month period, and if the service member has resided at the location for less than 12 months, the entity that provides retail electric service to the residential customer may use an alternative method to calculate the average bill, such as the average billing at the same premise by a previous occupant;

(2) after the initial 9 month or less payment plan, require payment of the customer's regular utility payment for a period not to exceed 9 months,

(3) After the second 9 month period, require payment of the full deferred amount owed in equal monthly payments for a period not to exceed 9 months; and

(4) prohibit the entity providing retail electric service from disconnecting service to the residential customer for nonpayment as long as the residential customer complies with the terms of the levelized payment plan.

(c) This section does not prohibit a residential customer from entering into an alternative, mutually agreed upon, payment plan with an entity that provides retail electric service to the residential customer, nor does it prohibit the entity from offering other assistance programs in addition to a levelized payment plan, nor does it prohibit the customer from accelerating repayment of the deferred charges.

SECTION 12. Subchapter F, Chapter 104, Utilities Code, is amended by adding Section 104.259 to read as follows:

Sec. 104.259. RELIEF PROGRAM FOR CERTAIN MEMBERS OF THE ARMED SERVICES. (a) In this section:

(1) "Provider" means:

(A) a gas utility, as defined by Sections 101.003 and 121.001; and

(B) an owner, operator, or manager of a mobile home park or apartment who purchases natural gas through a master meter for delivery to a dwelling unit in a mobile home park or apartment house under Chapter 124.

(2) "Service member" means a member of the Texas National Guard or a reserve component of the United States armed forces called to federal active duty for any national emergency or other deployment for a period of at least 180 days away from the primary residence.

(b) The commission shall adopt and enforce rules to establish a levelized payment plan for service members and their dependents. The rules must require that, on the request of a residential customer who is a service member or a dependent of a service member who resides at the service member's main residence, a provider shall provide a levelized payment plan for the residential customer. The service member or the service member's dependent must provide to the provider a copy of the military orders calling the service member to active duty. The levelized payment plan must:

(1) allow the residential customer to negotiate a fixed monthly payment up to 9 months equal to or greater than 75 percent of the service member's average bill for the previous 12 month period, and if the service member has resided at the location for less than 12 months, the entity that provides retail electric service to the residential customer may use an alternative method to calculate the average bill, such as the average billing at the same premise by a previous occupant;

(2) after the initial 9 month or less payment plan, require payment of the customer's regular utility payment for a period not to exceed 9 months,

(3) After the second 9 month period, require payment of the full deferred amount owed in equal monthly payments for a period not to exceed 9 months; and

(4) prohibit the entity providing retail electric service from disconnecting service to the residential customer for

nonpayment as long as the residential customer complies with the terms of the levelized payment plan.

(c) This section does not prohibit a residential customer from entering into an alternative, mutually agreed upon, payment plan with an entity that provides retail electric service to the residential customer, nor does it prohibit the entity from offering other assistance programs in addition to a levelized payment plan, nor does it prohibit the customer from accelerating repayment of the deferred charges.