

By: Shapleigh

S.B. No. 1735

A BILL TO BE ENTITLED

AN ACT

1
2 relating to benefits for certain members of the Texas National
3 Guard and armed forces of the United States.

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

5 SECTION 1. Subchapter A, Chapter 2170, Government Code, is
6 amended by adding Section 2170.011 to read as follows:

7 Sec. 2170.011. PREPAID CALLING CARDS. (a) The department
8 shall make a bulk purchase of prepaid long distance calling cards
9 that may be used to call military personnel stationed in a foreign
10 country.

11 (b) The department shall sell the prepaid long distance
12 calling cards to members of the National Guard on federal active
13 duty and members of the armed forces of the United States on active
14 duty, and their families.

15 (c) The department may not sell a prepaid long distance
16 calling card for more than the cost of the card.

17 SECTION 2. (a) Subchapter L, Chapter 2301, Occupations
18 Code, is amended by adding Section 2301.557 to read as follows:

19 Sec. 2301.557. TERMINATION OF VEHICLE LEASE BY PERSON ON
20 ACTIVE DUTY IN MILITARY. (a) A person, or the spouse of a person,
21 who enters United States military service under a call or order,
22 including a call of Texas National Guard members to federal active
23 service, specifying a period of at least 180 days may terminate a
24 vehicle lease that is executed by or on behalf of the person.

1 (b) A vehicle lease is not terminated under this section
2 until:

3 (1) the person described by Subsection (a) or the
4 person's spouse gives the lessor notice by certified mail, return
5 receipt requested, of the person's intent to terminate the lease
6 together with a copy of the military orders calling the person to
7 active duty; and

8 (2) the vehicle subject to the lease is returned to the
9 custody or control of the lessor not later than the 15th day after
10 the date of delivery of the notice.

11 (c) An unpaid lease amount for a period preceding the
12 effective date of the lease termination under this section shall be
13 paid on a prorated basis. The lessor may not impose an early
14 termination charge, but any taxes, costs of summons, and title or
15 registration fees and any other obligation and liability of the
16 lessee under the terms of the lease, including reasonable charges
17 to the lessee for excess wear, use, and mileage, that are due and
18 unpaid at the time of the lease termination shall be paid by the
19 lessee.

20 (d) The lessor shall refund to the lessee any lease amount
21 paid in advance by the lessee applicable to a period after the
22 effective date of the lease termination. The refund required by
23 this subsection must be paid not later than the 30th day after the
24 effective date of the lease termination.

25 (b) Section 2301.557, Occupations Code, as added by this
26 Act, applies only to a vehicle lease entered into on or after the
27 effective date of this Act.

1 SECTION 3. Subchapter A, Chapter 17, Utilities Code, is
2 amended by adding Section 17.008 to read as follows:

3 Sec. 17.008. RELIEF FOR CERTAIN MEMBERS OF ARMED FORCES.

4 (a) In this section, "service member" means a member of the United
5 States armed forces or a member of the Texas National Guard called
6 to federal active duty.

7 (b) An electric utility, retail electric provider, power
8 generation company, aggregator, or other entity that provides
9 retail electric service may not disconnect service to a residential
10 customer who is a service member or a dependent of a service member
11 during a period in which the service member is on active duty. The
12 entity providing service shall defer collection of the full payment
13 of bills that are due during a period in which the service member is
14 on active duty until after the period is over and shall work with
15 the customer to establish a pay schedule for deferred bills.

16 SECTION 4. Subchapter F, Chapter 104, Utilities Code, is
17 amended by adding Section 104.259 to read as follows:

18 Sec. 104.259. DISCONNECTION OF GAS SERVICE; CERTAIN MEMBERS
19 OF ARMED SERVICES. (a) In this section:

20 (1) "Provider" means:

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

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

27 (2) "Service member" means a member of the United

1 States armed forces or a member of the Texas National Guard called
2 to federal active duty.

3 (b) A provider may not disconnect natural gas service to a
4 residential customer who is a service member or a dependent of a
5 service member during a period in which the service member is on
6 active duty. The provider shall defer collection of the full
7 payment of bills that are due during a period in which the service
8 member is on active duty until after the period is over and shall
9 work with the customer to establish a pay schedule for deferred
10 bills.

11 SECTION 5. This Act takes effect September 1, 2005.