

By: Bohac

H.B. No. 1797

A BILL TO BE ENTITLED

AN ACT

relating to notice of a price change in retail electric service contracts.

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

SECTION 1. Subchapter C, Chapter 39, Utilities Code, is amended by adding Section 39.112 to read as follows:

Sec. 39.112. NOTICE OF PRICE CHANGE. (a) In this section, "fixed price contract" means a residential retail electric service contract for which the price for each billing period is stated in the contract and does not change throughout the term of the contract. The term does not include month-to-month service.

(b) An electric utility, retail electric provider, electric cooperative, or municipally owned utility providing residential service shall provide a residential customer who has a fixed price contract with written notification of the date the price is scheduled to change. The notice must be sent to the customer's billing address by mail postmarked not less than one billing cycle before the date the price is scheduled to change.

SECTION 2. The change in law made by this Act applies only to a contract for retail electric service entered into or renewed on or after the effective date of this Act. A contract for retail electric service entered into or renewed before the effective date of this Act is governed by the law as it existed immediately before the effective date of this Act, and that law is continued in effect

1 for that purpose.

2 SECTION 3. This Act takes effect September 1, 2009.