

By: Davis of Dallas

H.B. No. 1835

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the provision of commercial mobile service to
3 customers.

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

5 SECTION 1. Subtitle B, Title 10, Business & Commerce Code,
6 as effective April 1, 2009, is amended by adding Chapter 328 to read
7 as follows:

8 CHAPTER 328. PROVISION OF COMMERCIAL MOBILE SERVICE TO CUSTOMER

9 Sec. 328.001. DEFINITIONS. In this chapter:

10 (1) "Commercial mobile service provider" has the
11 meaning assigned by Section 64.201, Utilities Code.

12 (2) "Customer" means an individual who seeks to enter
13 into a contract with a commercial mobile service provider for
14 commercial mobile services.

15 Sec. 328.002. COMMERCIAL MOBILE SERVICE WITHOUT
16 CANCELLATION FEE. A commercial mobile service provider may not
17 offer to a customer a contract for commercial mobile service that
18 provides:

19 (1) any kind of fee or charge for cancellation of the
20 contract by the customer; or

21 (2) any time period during which the contract is not
22 subject to cancellation by the customer.

23 Sec. 328.003. CONTRACT VOID. A contract that violates
24 Section 328.002 is void and may not be enforced.

1 SECTION 2. This Act applies only to a contract entered into
2 or renewed on or after the effective date of this Act.

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