

By: Turner of Tarrant

H.B. No. 1772

A BILL TO BE ENTITLED

AN ACT

relating to the disconnection of electric or gas utility service.

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

SECTION 1. Chapter 17, Utilities Code, is amended by adding Subchapter E to read as follows:

SUBCHAPTER E. PROTECTION AGAINST UTILITY SERVICE DISCONNECTION

Sec. 17.201. DEFINITIONS. In this subchapter:

(1) "Customer" means a person who receives electricity or gas service from a utility, including a landlord, premises owner, and property manager.

(2) "Electric service provider" includes:

(A) an electric utility, as defined by Section 31.002;

(B) a retail electric provider;

(C) an electric cooperative; and

(D) a municipally owned utility.

(3) "Gas utility" has the meaning assigned by Section 181.021.

(4) "Nonsubmetered master metered property" means an apartment, a leased or owner-occupied condominium, or one or more buildings containing at least 10 dwellings that receive electric utility service or gas utility service that is master metered but not submetered.

Sec. 17.202. NOTICE OF DISCONNECTION TO NONSUBMETERED

1 MASTER METERED MULTIFAMILY PROPERTY CUSTOMERS, MUNICIPALITIES, AND
2 TENANTS. (a) An electric service provider or a gas utility may not
3 disconnect service to a nonsubmetered master metered property for
4 nonpayment for services unless the electric service provider or gas
5 utility sends a written notice of service disconnection to a
6 customer and, if the property is located in a municipality, to the
7 governing body of that municipality not later than the 30th day
8 before the date the electric service provider or gas utility, as
9 applicable, disconnects the electric or gas service.

10 (b) A customer shall provide written notice of a service
11 disconnection to each tenant or owner at a nonsubmetered master
12 metered property not later than the fifth day after the date the
13 customer receives a notice of service disconnection from an
14 electric service provider or gas utility. A customer must provide
15 the notice by mail to the tenant or owner's preferred mailing
16 address. The written notice must state the service to be
17 disconnected, the date and reason for the disconnection, the
18 customer's contact information, and the tenant's remedies under
19 Section 92.301, Property Code.

20 (c) If the property is located in a municipality, the
21 customer shall provide the notice described by Subsection (b) to
22 the governing body of that municipality by certified mail. The
23 notice must include the following text:

24 "Notice to residents of [name and address of nonsubmetered
25 master metered property]: Electric service to this property is
26 scheduled for disconnection on [date] because [reason for
27 disconnection]."

1 The governing body of the municipality may provide additional
2 notice to the property's tenants and owners after receipt of the
3 service disconnection notice under Subsection (b).

4 Sec. 17.203. ADDITIONAL SAFEGUARDS. (a) The customer
5 safeguards provided by this subchapter are in addition to
6 safeguards provided by other law or commission rules.

7 (b) This subchapter does not prohibit a municipality, an
8 electric cooperative, or the commission from adopting customer
9 safeguards that exceed the safeguards provided by this chapter.

10 SECTION 2. The change in law made by this Act applies only
11 in regard to disconnection of service for nonpayment of a utility
12 bill issued for a billing period that begins on or after the
13 effective date of this Act.

14 SECTION 3. This Act takes effect September 1, 2013.