

By: Parker

H.B. No. 3428

Substitute the following for H.B. No. 3428:

By: Geren

C.S.H.B. No. 3428

A BILL TO BE ENTITLED

AN ACT

relating to the temporary continuation of utility service for real property of a decedent.

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

SECTION 1. Chapter 152, Estates Code, is amended by adding Subchapter D to read as follows:

SUBCHAPTER D. TEMPORARY CONTINUATION OF UTILITY SERVICE

Sec. 152.151. TEMPORARY CONTINUATION OF UTILITY SERVICE.

(a) For the purposes of this section, "utility service" means a service provided by a public or private entity relating to electric, gas, water, wastewater, or solid waste services.

(b) A decedent's next of kin may submit to an entity that provides or provided utility service to real property of the decedent a request that the entity continue the service until the earlier of:

(1) the 90th day after the date the entity receives the request;

(2) the 14th day after the date a personal representative of the decedent's estate qualifies; or

(3) the date the next of kin requests that the service be discontinued.

(c) An entity that receives a request described by Subsection (b) is not required to comply with the request unless the decedent's next of kin submits with the request an electronic or

1 paper copy of the decedent's death certificate.

2       (d) Next of kin who request utility service under this  
3 section are not personally liable for costs associated with  
4 continuing the service as described by this section. The  
5 decedent's estate is responsible for paying all costs associated  
6 with service requested under this section.

7       (e) As soon as possible after the date a personal  
8 representative of the decedent's estate qualifies, the next of kin  
9 who requested utility service under this section shall notify the  
10 entity of that fact.

11       SECTION 2. The changes in law made by this Act apply only to  
12 utility service of a decedent who dies on or after the effective  
13 date of this Act.

14       SECTION 3. This Act takes effect September 1, 2015.