

CHAPTER 446

H.B. No. 670

AN ACT

relating to the payment date of a utility bill for an elderly person.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. DEFINITIONS. In this Act:

(1) "Elderly person" means a person who is 60 years of age or older.

(2) "Utility" means an electric, gas, water, or telephone utility that is operated by a public or private entity.

SECTION 2. PAYMENT DATE OF CERTAIN UTILITY BILLS. (a) On request of an elderly person, a utility shall delay without penalty the payment date of a bill for providing utility services to that person until the 25th day after the date on which the bill is issued.

(b) An elderly person may request that the utility implement the delay for the most recent utility bill or for that utility bill and each subsequent utility bill for which payment has not already been delayed.

(c) The utility may require the requesting person to present reasonable proof that the person is 60 years of age or older.

(d) This section applies only to an elderly person who is a residential customer and who occupies the entire premises for which a delay is requested.

(e) This section does not apply to a utility that does not assess late payment charges on residential customers and that does not suspend service before the 26th day after the date of the bill for which collection action is taken and is regulated by the Public Utility Regulatory Act (Article 1446c, Vernon's Texas Civil Statutes).

SECTION 3. APPLICATION OF ACT. This Act applies only to a utility bill issued on or after the effective date of this Act. A utility bill issued before the effective date of this Act is governed by the law in effect when the bill was issued, and that law is continued in effect for that purpose.

SECTION 4. EMERGENCY. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on March 23, 1993, by a non-record vote; the House concurred in Senate amendments to H.B. No. 670 on May 22, 1993, by a non-record vote; passed by the Senate, with amendments, on May 19, 1993: Yeas 31, Nays 0.

Approved June 6, 1993.

Effective Aug. 30, 1993, 90 days after date of adjournment.