

## **BILL ANALYSIS**

Senate Research Center  
79R9914 MCK-D

S.B. 1735  
By: Shapleigh  
Veteran Affairs & Military Installations  
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### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

When Texas's service members are deployed, particularly Reserve and Guard members, the families are often left with reduced income and increased financial concerns. With the ongoing war and increased Reserve mobilization, Texas must update and clarify specific protections for its deployed service members.

Currently the service members or their dependents incur substantial long distance and international telephone charges. In addition, the service members or their dependents, due to financial hardship because of reduced income, may need to eliminate the expense of a vehicle lease payment but may not be able to terminate a vehicle lease without incurring additional fees and penalties. Moreover, service members or their dependents may have their gas or utilities disconnected for nonpayment when the service member has been called to active duty.

As proposed, S.B. 1735 enacts various protections to ease the financial obligations of deployed service members so they can concentrate on their military obligations rather than financial concerns at home.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter A, Chapter 2170, Government Code, by adding Section 2170.011, as follows:

Sec. 2170.011. PREPAID CALLING CARDS. (a) Requires the Department of Information Resources (department) to make a bulk purchase of prepaid long distance calling cards that may be used to call military personnel stationed in a foreign country.

(b) Requires the department to sell the prepaid long distance calling cards to members of the National Guard on federal active duty and members of the armed forces of the United States on active duty, and their families.

(c) Prohibits the department from selling a prepaid long distance calling card for more than the cost of the card.

SECTION 2. (a) Amends Subchapter L, Chapter 2301, Occupations Code, by adding Section 2301.557 as follows:

Sec. 2301.557. TERMINATION OF VEHICLE LEASE BY PERSON ON ACTIVE DUTY IN MILITARY. (a) Authorizes a person, or the spouse of a person, who enters United States military service under a call or order, including a call of Texas National Guard members to federal active service, specifying a period of at least 180 days to terminate a vehicle lease that is executed by or on behalf of the person.

(b) Prohibits a vehicle lease from being terminated under this section unless certain conditions are met.

(c) Requires an unpaid lease amount for a period preceding the effective date of the lease termination under this section to be paid on a prorated basis. Prohibits the lessor from imposing an early termination charge, but provides that any taxes, costs of summons, and title or registration fees and any other obligation and liability of the lessee under the terms of the lease, including reasonable charges to the lessee for excess wear, use, and mileage, that are due and unpaid at the time of the lease termination are required to be paid by the lessee.

(d) Requires the lessor to refund to the lessee any lease amount paid in advance by the lessee applicable to a period after the effective date of the lease termination. Requires the refund required by this subsection to be paid not later than the 30th day after the effective date of the lease termination.

(b) Makes application of this section prospective.

SECTION 3. Amends Subchapter A, Chapter 17, Utilities Code, by adding Section 17.008, as follows:

Sec. 17.008. RELIEF FOR CERTAIN MEMBERS OF ARMED FORCES. (a) Defines "service member."

(b) Prohibits an electric utility, retail electric provider, power generation company, aggregator, or other entity that provides retail electric service from disconnecting service to a residential customer who is a service member or a dependent of a service member during a period in which the service member is on active duty. Requires the entity providing service to defer collection of the full payment of bills that are due during a period in which the service member is on active duty until after the period is over and to work with the customer to establish a pay schedule for deferred bills.

SECTION 4. Amends Subchapter F, Chapter 104, Utilities Code, by adding Section 104.259, as follows:

Sec. 104.259. DISCONNECTION OF GAS SERVICE; CERTAIN MEMBERS OF ARMED SERVICES. (a) Defines "provider" and "service member."

(b) Prohibits a provider from disconnecting natural gas service to a residential customer who is a service member or a dependent of a service member during a period in which the service member is on active duty. Requires the provider to defer collection of the full payment of bills that are due during a period in which the service member is on active duty until after the period is over and to work with the customer to establish a pay schedule for deferred bills.

SECTION 5. Effective date: September 1, 2005.