

CHAPTER 103

S.B. No. 885

1 AN ACT

2 relating to notice of utility rate increases.

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

4 SECTION 1. Section 104.103, Utilities Code, is amended by
5 amending Subsection (b) and adding Subsection (c) to read as
6 follows:

7 (b) Instead of publishing newspaper notice, a gas utility
8 may provide notice [~~to the public in an area outside the affected~~
9 ~~municipality or in a municipality with a population of less than~~
10 ~~2,500~~] by:

11 (1) mailing the notice by United States mail, postage
12 prepaid, to the billing address of each directly affected customer;
13 [~~or~~]

14 (2) including the notice, in conspicuous form, in the
15 bill of each directly affected customer; or

16 (3) sending the notice by e-mail to each directly
17 affected customer if that address is available to the utility.

18 (c) A gas utility may provide a customer with notice of the
19 utility's intent to increase rates by e-mail as described by
20 Subsection (b)(3) only if the customer has consented in writing to
21 the use of the customer's e-mail address for that purpose.

22 SECTION 2. The change in law made by this Act applies only
23 to a notice of a proposed utility rate increase provided on or after
24 the effective date of this Act. Notice provided before the

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S.B. No. 885

1 effective date of this Act is governed by the law as it existed
2 immediately before the effective date of this Act, and that law is
3 continued in effect for that purpose.

4 SECTION 3. This Act takes effect September 1, 2013. _____

David Newhurst
President of the Senate

Joe Straus
Speaker of the House

I hereby certify that S.B. No. 885 passed the Senate on
March 27, 2013, by the following vote: Yeas 30, Nays 0. _____

Patsy Spaw
Secretary of the Senate

I hereby certify that S.B. No. 885 passed the House on
May 2, 2013, by the following vote: Yeas 147, Nays 0, two present
not voting. _____

Robert Haney
Chief Clerk of the House

Approved:

18 MAY '13

Date

RICK PERRY
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE

6pm O'CLOCK

MAY 18 2013

[Signature]
Secretary of State