

AN ACT

1 Providing for prohibition of early termination fees of contracts
2 for deceased individuals and for waiver of applicable fees;
3 and imposing civil penalties.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Prohibition
8 of Early Termination Fees for Contracts of Deceased Individuals
9 Act.

10 Section 2. Definitions.

11 The following words and phrases when used in this act shall
12 have the meanings given to them in this section unless the
13 context clearly indicates otherwise:

14 "Provider." A person or entity in this Commonwealth that
15 provides contract services for cable television, cellular or
16 other telecommunications, direct broadcast satellite, electric
17 generation, heating oil, natural gas supply, Voice over Internet
18 Protocol or water.

1 Section 3. Prohibition on early termination.

2 (a) General rule.--A provider may not impose a fee for
3 termination or early cancellation of a service contract if the
4 individual is deceased before complete performance of the
5 contract and the executor of the deceased individual provides
6 notice under subsection (c).

7 (b) Vehicle lease applicability.--A retail lessee shall not
8 be liable for charges for the early termination of a lease
9 agreement of a motor vehicle if the lessee is deceased before
10 the end of the lease and the executor of the deceased individual
11 provides notice under subsection (c).

12 (c) Executor notice of death.--The executor of an individual
13 who is deceased may opt out of the contract with a provider or
14 vehicle lessor without paying an early termination fee or
15 similar charge if the executor, in good faith, opts out of the
16 contract in writing. The executor shall submit a copy of the
17 deceased individual's certificate of death to the provider
18 within 180 days of the writing submitted under this subsection.
19 The provider or vehicle lessor shall waive any otherwise
20 applicable charges for the executor requesting to opt out of the
21 contract as of the date the provider receives notice under this
22 subsection.

23 (d) Civil penalties.--A violation of this act shall be
24 considered a violation of the act of December 17, 1968
25 (P.L.1224, No.387), known as the Unfair Trade Practices and
26 Consumer Protection Law.

27 Section 4. Applicability.

28 This act shall apply to contracts executed on or after the
29 effective date of this act.

30 Section 5. Effective date.

1 This act shall take effect in 60 days.

