
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2762 Session of
2020

INTRODUCED BY CIRESI, WILLIAMS, KIM, SCHLOSSBERG, WEBSTER,
MERSKI, DONATUCCI, MURT, FREEMAN, HILL-EVANS, RABB, BROOKS,
KEEFER, DELLOSO, SANCHEZ, NEILSON, McCLINTON, SAMUELSON AND
WARREN, AUGUST 7, 2020

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, AUGUST 7, 2020

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

1 Protocol or water.

2 Section 3. Prohibition on early termination.

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

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

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

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

28 Section 4. Applicability.

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

1 Section 5. Effective date.

2 This act shall take effect in 60 days.