

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 109 Session of 2023

INTRODUCED BY CIRESI, HILL-EVANS, HOHENSTEIN, SAMUELSON, McNEILL, HANBIDGE, SCHLOSSBERG, SANCHEZ, RABB, D. WILLIAMS, PISCIOTTANO, GUENST, DELLOSO, SCHLEGEL CULVER, MADDEN, NEILSON, WARREN, FIEDLER, FINK, FREEMAN, KINKEAD, GILLEN, MALAGARI AND GUZMAN, MARCH 7, 2023

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, OCTOBER 16, 2023

AN ACT

1 Prohibiting fees for early termination of certain contracts upon
2 death; providing for waiver of applicable fees; and imposing
3 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 Contract Termination Fees Upon Death Act.

9 Section 2. Definitions.

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

13 "Provider." A person in this Commonwealth that provides
14 contract services for cable television, cellular or other
15 telecommunications, direct broadcast satellite, electric

16 generation SERVICE TO A RETAIL ELECTRIC CUSTOMER AS DEFINED IN <--

1 66 PA.C.S. § 2803 (RELATING TO DEFINITIONS), heating oil,
2 natural gas supply or Voice over Internet Protocol.

3 Section 3. Prohibition on early termination fees.

4 (a) General rule.--A provider may not impose a fee for early
5 termination of a service contract if a party to the contract
6 dies before complete performance of the contract and the
7 executor or administrator of the decedent's estate provides
8 notice under subsection (c).

9 (b) Vehicle lease applicability.--A vehicle lessee shall not
10 be liable for charges for the early termination of a lease
11 agreement for a motor vehicle if the lessee dies before the end
12 of the lease and the executor or administrator of the decedent's
13 estate provides notice under subsection (c).

14 (c) Notice of death.--The executor or administrator of a
15 decedent's estate may terminate a decedent's contract with a
16 provider or vehicle lessor by providing notice in writing to the
17 provider or vehicle lessor. The executor or administrator must
18 submit a copy of the decedent's certificate of death to the
19 provider or vehicle lessor within 180 days of the written
20 notice. The provider or vehicle lessor shall waive the charges
21 under subsection (a) or (b) as of the date the provider receives
22 notice under this 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 section.

30 Section 5. Effective date.

1 This act shall take effect in 60 days.