

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1418 Session of  
2021

INTRODUCED BY CIRESI, HANBIDGE, D. WILLIAMS, SANCHEZ, HILL-  
EVANS, GUENST, McNEILL, FREEMAN, MADDEN, DeLUCA, NEILSON,  
SAMUELSON, DEASY, MERSKI, WEBSTER, DRISCOLL, PISCIOTTANO,  
KEEFER, WARREN, KINKEAD AND GILLEN, MAY 14, 2021

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, MAY 14, 2021

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, heating oil, natural gas supply, Voice over Internet  
17 Protocol or water.

Section 3. Prohibition on early termination fees.

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

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

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

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

Section 4. Applicability.

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

Section 5. Effective date.

This act shall take effect in 60 days.