

1 **STATEWIDE 911 EMERGENCY**
2 **COMMUNICATION AMENDMENTS**
3 2006 GENERAL SESSION
4 STATE OF UTAH

5 **Chief Sponsor: Brad L. Dee**
6 Senate Sponsor: Curtis S. Bramble

8 **LONG TITLE**

9 **General Description:**

10 This bill delays a decrease in the statewide unified E-911 emergency service charge in
11 Subsection 69-2-5.6(1) from 13 cents to 8 cents until July 1, ~~H→~~ [2009] 2008 ←H .

12 **Highlighted Provisions:**

13 This bill:

14 ▶ delays a decrease in the statewide unified E-911 emergency service charge in
15 Subsection 69-2-5.6(1) from 13 cents to 8 cents until July 1, ~~H→~~ [2009] 2008 ←H .

16 **Monies Appropriated in this Bill:**

17 None

18 **Other Special Clauses:**

19 This bill takes effect on July 1, 2006.

20 **Utah Code Sections Affected:**

21 AMENDS:

22 **69-2-5.6 (Effective 07/01/06)**, as enacted by Chapter 313, Laws of Utah 2004

23 **Uncodified Material Affected:**

24 AMENDS UNCODIFIED MATERIAL:

25 **Uncodified Section 12, Chapter 313, Laws of Utah 2004**

27 *Be it enacted by the Legislature of the state of Utah:*



28 Section 1. Section **69-2-5.6 (Effective 07/01/06)** is amended to read:

29 **69-2-5.6 (Effective 07/01/06). Emergency services telephone charge to fund**
30 **statewide unified E-911 emergency service.**

31 (1) Subject to Subsection 69-2-5(3)(g), there is imposed a statewide unified E-911
32 emergency service charge [~~of 8 cents per month~~] on each local exchange service switched
33 access line and each revenue producing radio communications access line that is subject to an
34 emergency services telephone charge levied by a county, city, or town under Section 69-2-5 or
35 69-2-5.5[-] at:

36 (a) 13 cents per month until June 30, ~~H~~→ [2009] 2008 ←~~H~~ ; and

37 (b) 8 cents per month on and after July 1, ~~H~~→ [2009] 2008 ←~~H~~ .

38 (2) The emergency services telephone charge imposed under this section shall be:

39 (a) subject to Subsection 69-2-5(3)(g);

40 (b) billed and collected by the person that provides:

41 (i) local exchange service switched access line services; or

42 (ii) radio communications access line services;

43 (c) except for costs retained under Subsection (3), remitted to the State Tax

44 Commission at the same time as the person remits to the State Tax Commission monies

45 collected by the person under Title 59, Chapter 12, Sales and Use Tax Act; and

46 (d) deposited into the Statewide Unified E-911 Emergency Service Fund restricted
47 account in the General Fund created by Section 53-10-603.

48 (3) The person that bills and collects the charges levied by this section pursuant to
49 Subsections (2)(b) and (c), may:

50 (a) bill the charge imposed by this section in combination with the charge levied under
51 Section 69-2-5 as one line item charge; and

52 (b) retain an amount not to exceed 1.5% of the charges collected under this section as
53 reimbursement for the cost of billing, collecting, and remitting the levy.

54 (4) The State Tax Commission shall collect, enforce, and administer the charges
55 imposed under Subsection (1) pursuant to the same procedures used in the administration,
56 collection, and enforcement of the emergency services telephone charge to fund the Poison
57 Control Center under Section 69-2-5.5.

58 (5) This section sunsets in accordance with Section 63-55-269.

59 Section 2. **Uncodified Section 12, Chapter 313, Laws of Utah 2004** is amended to
60 read:

61 Section 12. **Effective date.**

62 [~~(1)~~] The following sections take effect on July 1, 2004:

63 [~~(a)~~] (1) Section 69-2-5; and

64 [~~(b)~~] (2) Section 69-2-5.6.

65 [~~(2) Effective July 1, 2006, change the statewide unified E-911 emergency service~~
66 ~~charge in Subsection 69-2-5.6(1) from 13 cents per month to 8 cents per month.]~~

67 Section 3. **Effective date.**

68 This bill takes effect on July 1, 2006.

Legislative Review Note

as of 1-24-06 5:20 PM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel

State Impact

Should this bill fail to pass, the revenue to the state's e911 Emergency Services Restricted Account would decrease. Passage of the bill would keep state e911 revenue at current levels of about \$1.8 million per year.

	<u>FY 2007</u>	<u>FY 2008</u>	<u>FY 2007</u>	<u>FY 2008</u>
	<u>Approp.</u>	<u>Approp.</u>	<u>Revenue</u>	<u>Revenue</u>
Restricted Funds	\$0	\$0	\$1,750,000	\$1,890,000
TOTAL	\$0	\$0	\$1,750,000	\$1,890,000

Individual and Business Impact

Individuals and businesses will continue to pay 13 cent (rather than 8 cent) telecommunication surcharges between July 1, 2006 and June 30, 2009.

Office of the Legislative Fiscal Analyst