

**TELECOMMUNICATIONS AMENDMENTS**

2011 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Curtis S. Bramble**

House Sponsor: Jennifer M. Seelig

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**LONG TITLE**

**General Description:**

This bill provides that the existing surcharge on residential and business lines, for the provision of telecommunications devices to hearing and speech impaired persons, shall apply to ~~§~~ **→ [residential, business, and mobile telephone numbers] each access line for residential and business telephone service and each telephone number for mobile telephone service ←** ~~§~~ .

**Highlighted Provisions:**

This bill:

▶ provides that the existing surcharge on residential and business lines, for the provision of telecommunications devices to hearing and speech impaired persons, shall apply to ~~§~~ **→ [residential, business, and mobile telephone numbers] each access line for residential and business telephone service and each telephone number for mobile telephone service ←** ~~§~~ ;

▶ reduces the maximum surcharge from 25 cents to 20 cents; and

▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**54-8b-10**, as last amended by Laws of Utah 2008, Chapter 382

**63J-1-602.3**, as enacted by Laws of Utah 2010, Chapter 265



59 (3) (a) The program described in Subsection (2) shall provide a dual party relay system  
 60 using third party intervention to connect a certified deaf or severely hearing or speech impaired  
 61 person with a normal hearing person by way of telecommunication devices designed for that  
 62 purpose.

63 (b) The commission may, by rule, establish the type of telecommunications device to  
 64 be provided to ensure functional equivalence.

65 (4) (a) The commission shall impose a surcharge on each [~~residence and business~~  
 66 ~~access line of each customer to the local exchange of any telephone corporation providing such~~  
 67 ~~lines in this state]~~ ~~Š→~~ **[telephone number of each residential and business customer in this state]**  
 67a **residential and business access line of each customer of local-exchange telephone service in this**  
 67b **state, and each residential and business telephone number of each customer of mobile**  
 67c **telephone service in this state** ~~←Š~~ ~~Ĥ→~~ **not including a telephone number used exclusively**  
 67d **to transfer data to and from a mobile device,** ~~←Ĥ~~

68 which shall be collected by the telecommunications corporation providing public  
 69 telecommunications service to the customer, to cover the costs of:

- 70 (i) the program described in Subsection (2); and  
 71 (ii) payments made under Subsection (5).

72 (b) The commission shall establish by rule the amount to be charged under this section,  
 73 [~~which may~~] provided that:

74 (i) the surcharge does not exceed [25] 20 cents per [residence] month for each  
 75 residential and business [access line.] ~~Š→~~ **[telephone number] access line for local-exchange**  
 75a **telephone service, and for each residential and business telephone number for mobile**  
 75b **telephone service** ~~Ĥ→~~ **, not including a telephone number used exclusively to transfer data to**  
 75c **and from a mobile device** ~~←Ĥ~~ ~~←Š~~ ; and

76 (ii) if the surcharge is related to a mobile telecommunications service, the surcharge  
 77 may be imposed, billed, and collected only to the extent permitted by the Mobile  
 78 Telecommunications Sourcing Act, 4 U.S.C. Sec. 116 et seq.

79 (c) The [~~telephone~~] telecommunications corporation shall collect the surcharge from its  
 80 customers and transfer the money collected to the commission under rules adopted by the  
 81 commission.

82 (d) The surcharge shall be separately identified on [~~customer bills~~] each bill to a  
 83 customer.

84 (5) (a) [~~Any money~~] Money collected from the surcharge imposed under Subsection (4)  
 85 shall be deposited in the state treasury as dedicated credits to be administered as determined by  
 86 the [~~Public Service Commission~~] commission.

87 (b) These dedicated credits may be used only:

- 88 (i) for the purchase, maintenance, repair, and distribution of telecommunication  
 89 devices;