

1                   **UTAH COMMUNICATIONS AUTHORITY AMENDMENTS**

2                                   2022 GENERAL SESSION

3                                   STATE OF UTAH

4                           **Chief Sponsor: Wayne A. Harper**

5                           House Sponsor: Stephen G. Handy

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7 **LONG TITLE**

8 **General Description:**

9           This bill makes amendments related to the amount and collection of charges for the  
10 Utah Communications Authority.

11 **Highlighted Provisions:**

12           This bill:

- 13           ▶ revokes the Utah Communications Authority's existing exemption from the  
14 Budgetary Procedures Act;
- 15           ▶ adjusts the collection amount for:
  - 16           • the Utah Statewide Radio Restricted Account;
  - 17           • the public safety network; and
  - 18           • the 911 emergency service charge;
- 19           ▶ revokes a repeal date for the emergency services telecommunications charge;
- 20           ▶ sets a future repeal date for charges to maintain the public safety communications  
21 network; and
- 22           ▶ makes technical and conforming changes.

23 **Money Appropriated in this Bill:**

24           None

25 **Other Special Clauses:**

26           This bill provides a special effective date.

27 **Utah Code Sections Affected:**

28 AMENDS:

- 29 **63H-7a-104**, as last amended by Laws of Utah 2021, Chapters 84 and 345
- 30 **63H-7a-304**, as last amended by Laws of Utah 2021, Chapters 162 and 345
- 31 **63H-7a-403**, as last amended by Laws of Utah 2020, Chapter 294
- 32 **63H-7a-803**, as last amended by Laws of Utah 2021, Chapters 84 and 345
- 33 **63I-1-269**, as last amended by Laws of Utah 2019, Chapter 509
- 34 **63I-2-263**, as last amended by Laws of Utah 2021, First Special Session, Chapter 4
- 35 **69-2-402**, as enacted by Laws of Utah 2017, Chapter 430
- 36 **69-2-403**, as last amended by Laws of Utah 2019, Chapter 509
- 37 **69-2-404**, as enacted by Laws of Utah 2017, Chapter 430
- 38 **69-2-405**, as last amended by Laws of Utah 2020, Chapter 294

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

Section 1. Section **63H-7a-104** is amended to read:

**63H-7a-104. Relation to certain acts.**

(1) The authority is exempt from:

- (a) Title 51, Chapter 5, Funds Consolidation Act;
- (b) Title 63A, Utah Government Operations Code; and
- ~~[(c) Title 63J, Chapter 1, Budgetary Procedures Act; and]~~
- ~~[(d)]~~ (c) Title 63A, Chapter 17, Utah State Personnel Management Act.

(2) The authority is subject to:

- (a) Title 52, Chapter 4, Open and Public Meetings Act;
- (b) Section 67-3-12;
- (c) Title 63G, Chapter 2, Government Records Access and Management Act; and
- (d) Title 63G, Chapter 6a, Utah Procurement Code.

Section 2. Section **63H-7a-304** is amended to read:

**63H-7a-304. Unified Statewide 911 Emergency Service Account -- Creation -- Administration -- Permitted uses.**

56 (1) There is created a restricted account within the General Fund known as the "Unified  
57 Statewide 911 Emergency Service Account," consisting of:

- 58 (a) proceeds from the fee imposed in Section 69-2-403;
- 59 (b) money appropriated or otherwise made available by the Legislature; and
- 60 (c) contributions of money, property, or equipment from federal agencies, political  
61 subdivisions of the state, persons, or corporations.

62 (2) (a) Except as provided in Subsection (4) and subject to Subsection (3) and  
63 appropriations by the Legislature, the authority shall disburse funds in the 911 account for the  
64 purpose of enhancing and maintaining the statewide public safety communications network and  
65 911 call processing equipment in order to rapidly, efficiently, effectively, and with greater  
66 interoperability deliver 911 services in the state.

67 (b) In expending funds in the 911 account, the authority shall give a higher priority to  
68 an expenditure that:

- 69 (i) best promotes statewide public safety;
- 70 (ii) best promotes interoperability;
- 71 (iii) impacts the largest service territory;
- 72 (iv) impacts a densely populated area; or
- 73 (v) impacts an underserved area.

74 (c) The authority shall expend funds in the 911 account in accordance with the  
75 authority strategic plan described in Section 63H-7a-206.

76 (d) The authority may not expend funds from the 911 account collected through the  
77 911 emergency service charge imposed in Section 69-2-403 on behalf of a PSAP that chooses  
78 not to participate in the:

- 79 (i) public safety communications network; and
- 80 (ii) the 911 emergency service defined in Section 69-2-102.

81 (e) The authority may not expend funds from the 911 account collected through the  
82 prepaid wireless 911 service charge revenue distributed in [~~Subsection 69-2-405(9)(c)~~]

83 Subsections [69-2-405\(9\)\(a\)\(iii\)](#) and [69-2-405\(9\)\(b\)\(iii\)](#) on behalf of a PSAP that chooses not to  
84 participate in the:

85 (i) public safety communications network; and

86 (ii) 911 emergency service defined in Section [69-2-102](#).

87 (f) The executive director shall recommend to the board expenditures for the authority  
88 to make from the 911 account in accordance with this Subsection (2).

89 (3) Subject to an appropriation by the Legislature and approval by the board, the  
90 Administrative Services Division may use funds in the 911 account to cover the Administrative  
91 Services Division's administrative costs related to the 911 account.

92 (4) (a) The authority shall reimburse from the 911 account to the Utah Geospatial  
93 Resource Center created in Section [63A-16-505](#) an amount equal to up to 1 cent of each unified  
94 statewide 911 emergency service charge deposited into the 911 account under Section  
95 [69-2-403](#).

96 (b) The Utah Geospatial Resource Center shall use the funds reimbursed to the Utah  
97 Geospatial Resource Center under Subsection (4)(a) to:

98 (i) enhance and upgrade digital mapping standards; and

99 (ii) maintain a statewide geospatial database for unified statewide 911 emergency  
100 service.

101 Section 3. Section [63H-7a-403](#) is amended to read:

102 **[63H-7a-403. Utah Statewide Radio System Restricted Account -- Creation --](#)**  
103 **Administration.**

104 (1) There is created a restricted account within the General Fund known as the "Utah  
105 Statewide Radio System Restricted Account," consisting of:

106 (a) money appropriated or otherwise made available by the Legislature; and

107 (b) contributions of money from federal agencies, political subdivisions of the state,  
108 persons, or corporations.

109 (2) (a) Subject to appropriations by the Legislature and subject to this Subsection (2),

110 the authority may expend funds in the Utah Statewide Radio System Restricted Account for the  
111 purpose of acquiring, constructing, operating, maintaining, and repairing a statewide radio  
112 system public safety communications network as authorized in Section 63H-7a-202, including:

113 (i) public safety communications network and related facilities, real property,  
114 improvements, and equipment necessary for the acquisition, construction, and operation of  
115 services and facilities;

116 (ii) installation, implementation, and maintenance of the public safety communications  
117 network;

118 (iii) maintaining and upgrading VHF and 800 MHz radio networks; and

119 (iv) an operating budget to include personnel costs not otherwise covered by funds  
120 from another account.

121 (b) For each radio network charge that is deposited into the Utah Statewide Radio  
122 System Restricted Account under Section 69-2-404, the authority shall spend, subject to an  
123 appropriation by the Legislature and this Subsection (2):

124 (i) on and after July 1, 2017, ~~[+8]~~ and before January 1, 2025, 18 cents of each total  
125 radio network charge to maintain the public safety communications network, including:

126 (A) the 700 MHz, 800 MHz, and VHF radio networks;

127 (B) the authority's radio console network connectivity;

128 (C) funding a statewide interoperability coordinator; and

129 ~~[(D) supplementing costs formerly offset by public safety communications network  
130 user fees assessed by the authority before July 1, 2017; and]~~

131 (D) authority administration costs;

132 (ii) on and after January 1, 2025, and before July 1, 2033, 27 cents of each total radio  
133 network charge to maintain the public safety communications network, including:

134 (A) the 700 MHz, 800 MHz, and VHF radio networks;

135 (B) the authority's radio console network connectivity;

136 (C) funding a statewide interoperability coordinator; and

137 (D) authority administration costs; and  
138 ~~[(ii)]~~ (iii) on and after January 1, 2018, [34] and before January 1, 2025, 34 cents of  
139 each total radio network charge to acquire, construct, equip, and install property for, and to  
140 make improvements to, the 800 MHz radio system, including debt service costs.

141 (c) In expending funds in the Utah Statewide Radio System Restricted Account, the  
142 authority shall give a higher priority to an expenditure that:

- 143 (i) best promotes statewide public safety;
- 144 (ii) best promotes interoperability;
- 145 (iii) impacts the largest service territory;
- 146 (iv) impacts a densely populated area; or
- 147 (v) impacts an underserved area.

148 (d) The authority shall expend funds in the Utah Statewide Radio System Restricted  
149 Account in accordance with the authority strategic plan described in Section [63H-7a-206](#).

150 (e) The authority may not expend funds from the Utah Statewide Radio System  
151 Restricted Account collected through the radio network charge imposed in Section [69-2-404](#) on  
152 behalf of a public agency or PSAP if the public agency or PSAP chooses not to participate in  
153 the:

- 154 (i) public safety communications network; and
- 155 (ii) radio communications service defined in Section [69-2-102](#).

156 (f) The authority may not expend funds from the Utah Statewide Radio System  
157 Restricted Account collected through the prepaid wireless 911 service charge revenue  
158 distributed in [~~Subsection [69-2-405\(9\)\(c\)](#)] Subsections [69-2-405\(9\)\(a\)\(iii\)](#) and  
159 [69-2-405\(9\)\(b\)\(iii\)](#) on behalf of a public agency or PSAP if the public agency or PSAP chooses  
160 not to participate in the:~~

- 161 (i) public safety communications network; and
- 162 (ii) radio communications service defined in Section [69-2-102](#).

163 (g) The executive director shall recommend to the board expenditures for the authority

164 to make from the Utah Statewide Radio System Restricted Account in accordance with this  
165 Subsection (2).

166 (3) Subject to appropriations by the Legislature, the Administrative Services Division  
167 may expend funds in the Utah Statewide Radio System Restricted Account for administrative  
168 costs that the Administrative Services Division incurs related to the Utah Statewide Radio  
169 System Restricted Account.

170 Section 4. Section **63H-7a-803** is amended to read:

171 **63H-7a-803. Relation to certain acts -- Participation in Risk Management Fund.**

172 (1) The Utah Communications Authority is exempt from:

173 (a) except as provided in Subsection (3), Title 63A, Utah Government Operations  
174 Code;

175 (b) Title 63G, Chapter 4, Administrative Procedures Act; and

176 (c) Title 63A, Chapter 17, Utah State Personnel Management Act.

177 (2) (a) The board shall adopt [budgetary] procedures, accounting, and personnel and  
178 human resource policies substantially similar to those from which they have been exempted in  
179 Subsection (1).

180 (b) The authority, the board, and the committee members are subject to Title 67,  
181 Chapter 16, Utah Public Officers' and Employees' Ethics Act.

182 (c) The authority is subject to Title 52, Chapter 4, Open and Public Meetings Act.

183 (d) The authority is subject to Title 63G, Chapter 6a, Utah Procurement Code.

184 (e) The authority is subject to Title 63J, Chapter 1, Budgetary Procedures Act, only  
185 with respect to money appropriated to the authority by the Legislature.

186 (3) (a) Subject to the requirements of Subsection **63E-1-304**(2), the administration may  
187 participate in coverage under the Risk Management Fund created by Section **63A-4-201**.

188 (b) The authority is subject to Section **67-3-12**.

189 Section 5. Section **63I-1-269** is amended to read:

190 **63I-1-269. Repeal dates, Title 69.**

191            [~~Section 69-2-403, emergency services telecommunications charge to fund unified~~  
192 ~~statewide 911 emergency service, is repealed July 1, 2025.~~]

193            Section 6. Section **63I-2-263** is amended to read:

194            **63I-2-263. Repeal dates, Title 63A to Title 63N.**

195            [~~(1) Section 63A-3-111 is repealed June 30, 2021.~~]

196            [~~(2) Title 63C, Chapter 19, Higher Education Strategic Planning Commission is~~  
197 ~~repealed July 1, 2021.~~]

198            [~~(3)~~] (1) Title 63C, Chapter 22, Digital Wellness, Citizenship, and Safe Technology  
199 Commission is repealed July 1, 2023.

200            [~~(4)~~] (2) Section **63G-1-502** is repealed July 1, 2022.

201            [~~(5)~~] (3) The following sections regarding the World War II Memorial Commission are  
202 repealed on July 1, 2022:

203            (a) Section **63G-1-801**;

204            (b) Section **63G-1-802**;

205            (c) Section **63G-1-803**; and

206            (d) Section **63G-1-804**.

207            [~~(6)~~] (4) Section **63H-7a-303** is repealed July 1, 2024.

208            (5) Subsection **63H-7a-403(2)(b)**, regarding the charge to maintain the public safety  
209 communications network, is repealed July 1, 2033.

210            [~~(7) Subsection 63J-1-206(3)(c), relating to coronavirus, is repealed July 1, 2021.~~]

211            [~~(8)~~] (6) Sections **63M-7-213** and **63M-7-213.5** are repealed on January 1, 2023.

212            [~~(9)~~] (7) Section **63M-7-217** is repealed on July 1, 2022.

213            [~~(10)~~] (8) Title 63N, Chapter 13, Part 3, Facilitating Public-private Partnerships Act, is  
214 repealed January 1, 2024.

215            [~~(11) Title 63N, Chapter 15, COVID-19 Economic Recovery Programs, is repealed~~  
216 ~~December 31, 2021.~~]

217            Section 7. Section **69-2-402** is amended to read:



218 **69-2-402. 911 emergency service charge.**

219 (1) As used in this section, "911 emergency service charge" means the 911 emergency  
220 service charge levied by the state under Subsection (2).

221 (2) (a) ~~[Subject]~~ Before January 1, 2025, and subject to Subsection (6), there is  
222 imposed on each access line in the state a 911 emergency service charge of 71 cents per month.

223 (b) On and after January 1, 2025, and subject to Subsection (6), there is imposed on  
224 each access line in the state a 911 emergency service charge of 73 cents per month.

225 ~~[(b)]~~ (c) An access line is within the state for the purposes of ~~[Subsection]~~ Subsections  
226 (2)(a) and (b) if the telecommunications services provided over the access line are located  
227 within the state:

228 (i) for the purposes of sales and use taxes under Title 59, Chapter 12, Sales and Use  
229 Tax Act; and

230 (ii) as determined in accordance with Section [59-12-215](#).

231 (3) (a) Subject to Subsection (6), the person that provides service to an access line shall  
232 bill and collect the 911 emergency service charge.

233 (b) A person that bills and collects the 911 emergency service charge shall, except for  
234 costs retained under Subsection (3)(g)(iii), remit the 911 emergency service charge to the  
235 commission:

236 (i) monthly on or before the last day of the month immediately following the last day of  
237 the previous month if:

238 (A) the person is required to file a sales and use tax return with the commission  
239 monthly under Section [59-12-108](#); or

240 (B) the person is not required to file a sales and use tax return under Title 59, Chapter  
241 12, Sales and Use Tax Act; or

242 (ii) quarterly on or before the last day of the month immediately following the last day  
243 of the previous quarter if the person is required to file a sales and use tax return with the  
244 commission quarterly under Section [59-12-107](#).

245 (c) Except as provided in Subsections (3)(d) and (e), if an access line user is not  
246 required to pay for the service, the access line provider shall collect the 911 emergency service  
247 charge from the person that is required to pay for the access line.

248 (d) The 911 emergency service charge is not imposed on a provider of a consumer of  
249 federal wireless lifeline service if the consumer does not pay the provider for the service.

250 (e) A consumer of federal wireless lifeline service shall pay, and the provider of the  
251 service shall collect and remit, the 911 emergency service charge when the consumer purchases  
252 from the provider optional services in addition to the federally funded lifeline benefit.

253 (f) The 911 emergency service charge is not imposed on an access line provided for  
254 public pay telecommunications service.

255 (g) The person that bills and collects the 911 emergency service charge:

256 (i) shall remit the 911 emergency service charge along with a form prescribed by the  
257 commission;

258 (ii) may bill the 911 emergency service charge in combination with the charges levied  
259 under Sections 69-2-403 and 69-2-404 as one line item charge for 911 emergency service; and

260 (iii) may retain an amount not to exceed 1.5% of the 911 emergency service charge as  
261 reimbursement for the cost of billing, collecting, and remitting the 911 emergency service  
262 charge.

263 (4) The commission shall transmit the funds the commission collects from the 911  
264 emergency service charge monthly to a public safety answering point in accordance with  
265 Section 69-2-302.

266 (5) An access line provider that fails to comply with this section is subject to penalties  
267 and interest as provided in Sections 59-1-401 and 59-1-402.

268 (6) The state may impose, bill, and collect the 911 emergency service charge on a  
269 mobile telecommunications service only to the extent permitted by the Mobile  
270 Telecommunications Sourcing Act, 4 U.S.C. Sec. 116 et seq.

271 Section 8. Section **69-2-403** is amended to read:

272           **69-2-403. Unified statewide 911 emergency service charge to fund Unified**  
273 **Statewide 911 Emergency Service Account.**

274           (1) As used in this section, "unified statewide 911 emergency service charge" means  
275 the unified statewide 911 emergency service charge imposed under Subsection (2).

276           (2) (a) Subject to Subsection (6), there is imposed on each access line in the state a  
277 unified statewide 911 emergency service charge of:

278                 (i) until June 30, 2019, 9 cents per month; and

279                 (ii) beginning July 1, 2019, 25 cents per month.

280           (b) An access line is within the state for the purposes of Subsection (2)(a) if the  
281 telecommunications services provided over the access line are located within the state:

282                 (i) for the purposes of sales and use taxes under Title 59, Chapter 12, Sales and Use  
283 Tax Act; and

284                 (ii) as determined in accordance with Section [59-12-215](#).

285           (3) (a) The person that provides service to an access line shall bill and collect the  
286 unified statewide 911 emergency service charge.

287           (b) A person that bills and collects the unified statewide 911 emergency service charge  
288 shall pay the unified statewide 911 emergency service charge to the commission:

289                 (i) monthly on or before the last day of the month immediately following the last day of  
290 the previous month if:

291                         (A) the person is required to file a sales and use tax return with the commission  
292 monthly under Section [59-12-108](#); or

293                         (B) the person is not required to file a sales and use tax return under Title 59, Chapter  
294 12, Sales and Use Tax Act; or

295                 (ii) quarterly on or before the last day of the month immediately following the last day  
296 of the previous quarter if the person is required to file a sales and use tax return with the  
297 commission quarterly under Section [59-12-107](#).

298           (c) If an access line user is not required to pay for the access line, the access line

299 provider shall collect the unified statewide 911 emergency service charge from the person that  
300 is required to pay for the access line.

301 (d) The person that bills and collects the unified statewide 911 emergency service  
302 charge:

303 (i) shall remit the unified statewide 911 emergency service charge along with a form  
304 prescribed by the commission;

305 (ii) may bill the unified statewide 911 emergency service charge in combination with  
306 the charges levied under Sections 69-2-402 and 69-2-404 as one line item charge for 911  
307 emergency service; and

308 (iii) may retain an amount not to exceed 1.5% of the unified statewide 911 emergency  
309 service charge collected under this section as reimbursement for the cost of billing, collecting,  
310 and remitting the unified statewide 911 emergency service charge.

311 (4) The commission shall deposit any unified 911 emergency service charge remitted to  
312 the commission into the Unified Statewide 911 Emergency Service Account created in Section  
313 63H-7a-304.

314 (5) An access line provider that fails to comply with this section is subject to penalties  
315 and interest as provided in Sections 59-1-401 and 59-1-402.

316 (6) The state may impose, bill, and collect an emergency services telecommunications  
317 charge under this section on a mobile telecommunications service only to the extent permitted  
318 by the Mobile Telecommunications Sourcing Act, 4 U.S.C. Sec. 116 et seq.

319 [~~(7) This section sunsets in accordance with Section 63I-1-269.~~]

320 Section 9. Section 69-2-404 is amended to read:

321 **69-2-404. Radio network charge to fund the Utah Statewide Radio System**  
322 **Restricted Account.**

323 (1) As used in this section, "radio network charge" means the radio network charge  
324 imposed under Subsection (2).

325 (2) (a) Subject to Subsection (6), there is imposed on each access line in the state a

326 radio network charge of:

327 (i) on and after July 1, 2017, and before January 1, 2018, 18 cents per month; [~~and~~]

328 (ii) on and after January 1, 2018, and before January 1, 2025, 52 cents per month[.];

329 and

330 (iii) on and after January 1, 2025, and before July 1, 2033, 27 cents per month.

331 (b) An access line is within the state for the purposes of Subsection (2)(a) if the  
332 telecommunications services provided over the access line are located within the state:

333 (i) for the purposes of sales and use taxes under Title 59, Chapter 12, Sales and Use  
334 Tax Act; and

335 (ii) as determined in accordance with Section 59-12-215.

336 (3) (a) The person that provides service to an access line shall bill and collect the radio  
337 network charge.

338 (b) A person that bills and collects the radio network charge shall pay the radio  
339 network charge to the commission:

340 (i) monthly on or before the last day of the month immediately following the last day of  
341 the previous month if:

342 (A) the person is required to file a sales and use tax return with the commission  
343 monthly under Section 59-12-108; or

344 (B) the person is not required to file a sales and use tax return under Title 59, Chapter  
345 12, Sales and Use Tax Act; or

346 (ii) quarterly on or before the last day of the month immediately following the last day  
347 of the previous quarter if the person is required to file a sales and use tax return with the  
348 commission quarterly under Section 59-12-107.

349 (c) If an access line user is not required to pay for the access line, the access line  
350 provider shall collect the radio network charge from the person that is required to pay for the  
351 access line.

352 (d) The person that bills and collects a radio network charge:

353 (i) shall remit the radio network charge along with a form prescribed by the  
354 commission; and

355 (ii) may bill the radio network charge in combination with the charges levied under  
356 Sections 69-2-402 and 69-2-403 as one line item charge for 911 emergency service.

357 (4) The commission shall deposit any radio network charge remitted to the commission  
358 into the Utah Statewide Radio System Restricted Account created in Section 63H-7a-403.

359 (5) An access line provider that fails to comply with this section is subject to penalties  
360 and interest as provided in Sections 59-1-401 and 59-1-402.

361 (6) The state may impose, bill, and collect the radio network charge under this section  
362 on a mobile telecommunications service only to the extent permitted by the Mobile  
363 Telecommunications Sourcing Act, 4 U.S.C. Sec. 116 et seq.

364 Section 10. Section 69-2-405 is amended to read:

365 **69-2-405. Service charges -- Collection and distribution of revenue.**

366 (1) As used in this section:

367 (a) "Consumer" means a person who purchases prepaid wireless telecommunications  
368 service in a transaction.

369 (b) "Prepaid wireless 911 service charge" means the charge that is required to be  
370 collected by a seller from a consumer in the amount established under Subsection (2).

371 (c) (i) "Prepaid wireless telecommunications service" means a wireless  
372 telecommunications service that:

373 (A) is paid for in advance;

374 (B) is sold in predetermined units of time or dollars that decline with use in a known  
375 amount or provides unlimited use of the service for a fixed amount or time; and

376 (C) allows a caller to access 911 emergency service.

377 (ii) "Prepaid wireless telecommunications service" does not include a wireless  
378 telecommunications service that is billed:

379 (A) to a customer on a recurring basis; and

380 (B) in a manner that includes the charges levied under Sections 69-2-402, 69-2-403,  
381 and 69-2-404, for each radio communication access line assigned to the customer.

382 (d) "Seller" means a person that sells prepaid wireless telecommunications service to a  
383 consumer.

384 (e) "Transaction" means each purchase of prepaid wireless telecommunications service  
385 from a seller.

386 (f) "Wireless telecommunications service" means commercial mobile radio service as  
387 defined by 47 C.F.R. Sec. 20.3, as amended.

388 (2) There is imposed:

389 (a) (i) before January 1, 2025, a prepaid wireless 911 service charge of 3.7% of the  
390 sales price per transaction; and

391 (ii) on and after January 1, 2025, a prepaid wireless 911 service charge of 3.13% of the  
392 sales price per transaction; and

393 (b) a prepaid wireless telecommunications service charge of 1.2% of the sales price per  
394 transaction.

395 (3) (a) Each charge described in Subsection (2) shall be collected by the seller from the  
396 consumer for each transaction occurring in this state.

397 (b) (i) Except as provided in Subsections (3)(b)(ii) and (iii), if a user of a service  
398 subject to a charge described in Subsection (2) is not the consumer, the seller shall collect the  
399 charge from the consumer for the service.

400 (ii) A charge described in Subsection (2) is not imposed on a seller or a consumer of  
401 federal wireless lifeline service if the consumer does not pay the seller for the service.

402 (iii) A consumer of federal wireless lifeline service shall pay, and the seller of the  
403 service shall collect and remit, each charge described in Subsection (2) when the consumer  
404 purchases from the seller optional services in addition to the federally funded lifeline benefit.

405 (4) Each charge described in Subsection (2) shall be separately stated on an invoice,  
406 receipt, or similar document that is provided by the seller to the consumer.

407 (5) For purposes of Subsection (3), the location of a transaction is determined in  
408 accordance with Sections 59-12-211 through 59-12-215.

409 (6) When prepaid wireless telecommunications service is sold with one or more other  
410 products or services for a single non-itemized price, then the percentage specified in  
411 Subsection (2) shall apply to the entire non-itemized price.

412 (7) A seller may retain 3% of the charges described in Subsection (2) that are collected  
413 by the seller from consumers as reimbursement for the cost of billing, collecting, and remitting  
414 the charge.

415 (8) A person that collects a charge described in Subsection (2), except as retained  
416 under Subsection (7), shall remit each charge to the commission at the same time that the seller  
417 remits to the commission money collected by the person under Title 59, Chapter 12, Sales and  
418 Use Tax Act.

419 (9) The commission shall distribute revenues collected under this section as follows:

420 (a) Before January 1, 2025:

421 ~~[(a)]~~ (i) 47.97% of the prepaid wireless 911 service charge revenue to a public safety  
422 answering point in accordance with Section 69-2-302;

423 ~~[(b)]~~ (ii) 16.89% of the prepaid wireless 911 service charge revenue to the Unified  
424 Statewide 911 Emergency Service Account created in Section 63H-7a-304;

425 ~~[(c)]~~ (iii) 35.14% of the prepaid wireless 911 service charge revenue to the Utah  
426 Statewide Radio System Restricted Account created in Section 63H-7a-403; and

427 ~~[(d)]~~ (iv) 100% of the prepaid wireless telecommunications service charge revenue to  
428 the Universal Public Telecommunications Service Support Fund created in Section  
429 54-8b-15~~[-]~~;

430 (b) after January 1, 2025, and before July 1, 2033:

431 (i) 58.4% of the prepaid wireless 911 service charge revenue to a public safety  
432 answering point in accordance with Section 69-2-302;

433 (ii) 20% of the prepaid wireless 911 service charge revenue to the Unified Statewide



434 911 Emergency Service Account created in Section 63H-7a-304;  
435 (iii) 21.6% of the prepaid wireless 911 service charge revenue to the Utah Statewide  
436 Radio System Restricted Account created in Section 63H-7a-403; and  
437 (iv) 100% of the prepaid wireless telecommunications service charge revenue to the  
438 Universal Public Telecommunications Service Support Fund created in Section 54-8b-15; and  
439 (c) after July 1, 2033, when Subsection 63H-7a-403(2)(b) sunsets in accordance with  
440 Section 63I-2-263:  
441 (i) 74.49 % of the prepaid wireless 911 service charge revenue to a public safety  
442 answering point in accordance with Section 69-2-302;  
443 (ii) 25.51 % of the prepaid wireless 911 service charge revenue to the Unified  
444 Statewide 911 Emergency Service Account created in Section 63H-7a-304; and  
445 (iii) 100% of the prepaid wireless telecommunications service charge revenue to the  
446 Universal Public Telecommunications Service Support Fund created in Section 54-8-15.  
447 **Section 11. Effective date.**  
448 This bill takes effect on July 1, 2022.