

**Senator Wayne A. Harper** proposes the following substitute bill:

**UTAH COMMUNICATIONS AUTHORITY AMENDMENTS**

2022 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Wayne A. Harper**

House Sponsor: Stephen G. Handy

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**LONG TITLE**

**General Description:**

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

**Highlighted Provisions:**

This bill:

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

**Money Appropriated in this Bill:**

This bill appropriates in fiscal year 2021:

- ▶ to the Utah Communications Authority -- Administrative Services Division -- as a



26 one-time appropriation:

- 27 • from the General Fund, One-time, \$17,500,000.

28 **Other Special Clauses:**

29 This bill provides a special effective date.

30 **Utah Code Sections Affected:**

31 AMENDS:

32 **63H-7a-104**, as last amended by Laws of Utah 2021, Chapters 84 and 345

33 **63H-7a-304**, as last amended by Laws of Utah 2021, Chapters 162 and 345

34 **63H-7a-403**, as last amended by Laws of Utah 2020, Chapter 294

35 **63H-7a-803**, as last amended by Laws of Utah 2021, Chapters 84 and 345

36 **63I-1-269**, as last amended by Laws of Utah 2019, Chapter 509

37 **63I-2-263**, as last amended by Laws of Utah 2021, First Special Session, Chapter 4

38 **69-2-402**, as enacted by Laws of Utah 2017, Chapter 430

39 **69-2-403**, as last amended by Laws of Utah 2019, Chapter 509

40 **69-2-404**, as enacted by Laws of Utah 2017, Chapter 430

41 **69-2-405**, as last amended by Laws of Utah 2020, Chapter 294



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

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

45 **63H-7a-104. Relation to certain acts.**

46 (1) The authority is exempt from:

47 (a) Title 51, Chapter 5, Funds Consolidation Act;

48 (b) Title 63A, Utah Government Operations Code; and

49 [~~(c) Title 63J, Chapter 1, Budgetary Procedures Act; and]~~

50 [~~(d)~~] (c) Title 63A, Chapter 17, Utah State Personnel Management Act.

51 (2) The authority is subject to:

52 (a) Title 52, Chapter 4, Open and Public Meetings Act;

53 (b) Section 67-3-12;

54 (c) Title 63G, Chapter 2, Government Records Access and Management Act; and

55 (d) Title 63G, Chapter 6a, Utah Procurement Code.

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

57           **63H-7a-304. Unified Statewide 911 Emergency Service Account -- Creation --**  
58 **Administration -- Permitted uses.**

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

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

65           (2) (a) Except as provided in Subsection (4) and subject to Subsection (3) and  
66 appropriations by the Legislature, the authority shall disburse funds in the 911 account for the  
67 purpose of enhancing and maintaining the statewide public safety communications network and  
68 911 call processing equipment in order to rapidly, efficiently, effectively, and with greater  
69 interoperability deliver 911 services in the state.

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

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

77           (c) The authority shall expend funds in the 911 account in accordance with the  
78 authority strategic plan described in Section [63H-7a-206](#).

79           (d) The authority may not expend funds from the 911 account collected through the  
80 911 emergency service charge imposed in Section [69-2-403](#) on behalf of a PSAP that chooses  
81 not to participate in the:

- 82           (i) public safety communications network; and
- 83           (ii) the 911 emergency service defined in Section [69-2-102](#).

84           (e) The authority may not expend funds from the 911 account collected through the  
85 prepaid wireless 911 service charge revenue distributed in [~~Subsection [69-2-405\(9\)\(c\)](#)~~]  
86 Subsections [69-2-405\(9\)\(a\)\(iii\)](#) and [69-2-405\(9\)\(b\)\(iii\)](#) on behalf of a PSAP that chooses not to  
87 participate in the:

88 (i) public safety communications network; and

89 (ii) 911 emergency service defined in Section 69-2-102.

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

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

95 (4) (a) The authority shall reimburse from the 911 account to the Utah Geospatial  
96 Resource Center created in Section 63A-16-505 an amount equal to up to 1 cent of each unified  
97 statewide 911 emergency service charge deposited into the 911 account under Section  
98 69-2-403.

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

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

102 (ii) maintain a statewide geospatial database for unified statewide 911 emergency  
103 service.

104 Section 3. Section 63H-7a-403 is amended to read:

105 **63H-7a-403. Utah Statewide Radio System Restricted Account -- Creation --**  
106 **Administration.**

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

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

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

112 (2) (a) Subject to appropriations by the Legislature and subject to this Subsection (2),  
113 the authority may expend funds in the Utah Statewide Radio System Restricted Account for the  
114 purpose of acquiring, constructing, operating, maintaining, and repairing a statewide radio  
115 system public safety communications network as authorized in Section 63H-7a-202, including:

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

119 (ii) installation, implementation, and maintenance of the public safety communications  
120 network;

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

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

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

127 (i) on and after July 1, 2017, ~~[18]~~ and before July 1, 2022, 18 cents of each total radio  
128 network charge to maintain the public safety communications network, including:

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

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

131 (C) funding a statewide interoperability coordinator; and

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

134 (D) authority administration costs;

135 (ii) on and after July 1, 2022, and before July 1, 2023, 21 cents of each total radio  
136 network charge to maintain the public safety communications network, including:

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

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

139 (C) funding a statewide interoperability coordinator; and

140 (D) authority administration costs;

141 (iii) on and after July 1, 2023, 24 cents of each total radio network charge to maintain  
142 the public safety communications network, including:

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

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

145 (C) funding a statewide interoperability coordinator; and

146 (D) authority administration costs;

147 ~~[(iv)]~~ (iv) on and after January 1, 2018, ~~[34]~~ and before July 1, 2022, 34 cents of each  
148 total radio network charge to acquire, construct, equip, and install property for, and to make  
149 improvements to, the 800 MHz radio system, including debt service costs~~[-];~~ and

150 (v) on and after July 1, 2022 and before July 1, 2023, 31 cents of each total radio  
151 network charge to acquire, construct, equip, and install property for, and to make  
152 improvements to, the 700/800 MHz radio system, including debt service costs.

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

- 155 (i) best promotes statewide public safety;
- 156 (ii) best promotes interoperability;
- 157 (iii) impacts the largest service territory;
- 158 (iv) impacts a densely populated area; or
- 159 (v) impacts an underserved area.

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

162 (e) The authority may not expend funds from the Utah Statewide Radio System  
163 Restricted Account collected through the radio network charge imposed in Section 69-2-404 on  
164 behalf of a public agency or PSAP if the public agency or PSAP chooses not to participate in  
165 the:

- 166 (i) public safety communications network; and
- 167 (ii) radio communications service defined in Section 69-2-102.

168 (f) The authority may not expend funds from the Utah Statewide Radio System  
169 Restricted Account collected through the prepaid wireless 911 service charge revenue  
170 distributed in [~~Subsection 69-2-405(9)(c)~~] Subsections 69-2-405(9)(a)(iii) and  
171 69-2-405(9)(b)(iii) on behalf of a public agency or PSAP if the public agency or PSAP chooses  
172 not to participate in the:

- 173 (i) public safety communications network; and
- 174 (ii) radio communications service defined in Section 69-2-102.

175 (g) The executive director shall recommend to the board expenditures for the authority  
176 to make from the Utah Statewide Radio System Restricted Account in accordance with this  
177 Subsection (2).

178 (3) Subject to appropriations by the Legislature, the Administrative Services Division  
179 may expend funds in the Utah Statewide Radio System Restricted Account for administrative  
180 costs that the Administrative Services Division incurs related to the Utah Statewide Radio

181 System Restricted Account.

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

183 **63H-7a-803. Relation to certain acts -- Participation in Risk Management Fund.**

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

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

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

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

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

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

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

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

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

198 (3) (a) Subject to the requirements of Subsection [63E-1-304\(2\)](#), the administration may  
199 participate in coverage under the Risk Management Fund created by Section [63A-4-201](#).

200 (b) The authority is subject to Section [67-3-12](#).

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

202 **63I-1-269. Repeal dates, Title 69.**

203 [~~Section [69-2-403](#), emergency services telecommunications charge to fund unified  
204 statewide 911 emergency service, is repealed July 1, 2025.~~]

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

206 **63I-2-263. Repeal dates, Title 63A to Title 63N.**

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

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

210 [~~(3)~~] (1) Title 63C, Chapter 22, Digital Wellness, Citizenship, and Safe Technology  
211 Commission is repealed July 1, 2023.

212 ~~[(4)]~~ (2) Section [63G-1-502](#) is repealed July 1, 2022.

213 ~~[(5)]~~ (3) The following sections regarding the World War II Memorial Commission are  
214 repealed on July 1, 2022:

215 (a) Section [63G-1-801](#);

216 (b) Section [63G-1-802](#);

217 (c) Section [63G-1-803](#); and

218 (d) Section [63G-1-804](#).

219 ~~[(6)]~~ (4) Section [63H-7a-303](#) is repealed July 1, 2024.

220 (5) Subsection [63H-7a-403\(2\)\(b\)](#), regarding the charge to maintain the public safety  
221 communications network, is repealed July 1, 2032.

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

223 ~~[(8)]~~ (6) Sections [63M-7-213](#) and [63M-7-213.5](#) are repealed on January 1, 2023.

224 ~~[(9)]~~ (7) Section [63M-7-217](#) is repealed on July 1, 2022.

225 ~~[(10)]~~ (8) Title 63N, Chapter 13, Part 3, Facilitating Public-private Partnerships Act, is  
226 repealed January 1, 2024.

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

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

230 **69-2-402. 911 emergency service charge.**

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

233 (2) (a) ~~[Subject]~~ Before July 1, 2023, and subject to Subsection (6), there is imposed on  
234 each access line in the state a 911 emergency service charge of 71 cents per month.

235 (b) On and after July 1, 2023, and subject to Subsection (6), there is imposed on each  
236 access line in the state a 911 emergency service charge of 73 cents per month.

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

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

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



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

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

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

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

252 (B) the person is not required to file a sales and use tax return under Title 59, Chapter  
253 12, Sales and Use Tax Act; or

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

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

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

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

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

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

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

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

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

274 charge.

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

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

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

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

284 **69-2-403. Unified statewide 911 emergency service charge to fund Unified**  
285 **Statewide 911 Emergency Service Account.**

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

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

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

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

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

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

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

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

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

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

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

305 (B) the person is not required to file a sales and use tax return under Title 59, Chapter  
306 12, Sales and Use Tax Act; or

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

310 (c) If an access line user is not required to pay for the access line, the access line  
311 provider shall collect the unified statewide 911 emergency service charge from the person that  
312 is required to pay for the access line.

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

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

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

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

323 (4) The commission shall deposit any unified 911 emergency service charge remitted to  
324 the commission into the Unified Statewide 911 Emergency Service Account created in Section  
325 63H-7a-304.

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

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

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

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

333 **69-2-404. Radio network charge to fund the Utah Statewide Radio System**  
334 **Restricted Account.**

335 (1) As used in this section, "radio network charge" means the radio network charge

336 imposed under Subsection (2).

337 (2) (a) Subject to Subsection (6), there is imposed on each access line in the state a  
338 radio network charge of:

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

340 (ii) on and after January 1, 2018, and before July 1, 2023, 52 cents per month[-]; and

341 (iii) on and after July 1, 2023, and before July 1, 2032, 24 cents per month.

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

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

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

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

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

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

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

355 (B) the person is not required to file a sales and use tax return under Title 59, Chapter  
356 12, Sales and Use Tax Act; or

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

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

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

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

366 (ii) may bill the radio network charge in combination with the charges levied under

367 Sections 69-2-402 and 69-2-403 as one line item charge for 911 emergency service.

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

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

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

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

376 **69-2-405. Service charges -- Collection and distribution of revenue.**

377 (1) As used in this section:

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

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

382 (c) (i) "Prepaid wireless telecommunications service" means a wireless  
383 telecommunications service that:

384 (A) is paid for in advance;

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

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

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

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

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

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

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

397 (f) "Wireless telecommunications service" means commercial mobile radio service as

398 defined by 47 C.F.R. Sec. 20.3, as amended.

399 (2) There is imposed:

400 (a) a prepaid wireless 911 service charge of 3.7% of the sales price per transaction; and

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

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

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

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

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

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

415 (5) For purposes of Subsection (3), the location of a transaction is determined in  
416 accordance with Sections [59-12-211](#) through [59-12-215](#).

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

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

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

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

428 (a) Before July 1, 2023:

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

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

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

435            ~~[(d)]~~ (iv) 100% of the prepaid wireless telecommunications service charge revenue to  
436 the Universal Public Telecommunications Service Support Fund created in Section

437 [54-8b-15](#)[~~;~~];

438            (b) after July 1, 2023, and before July 1, 2032:

439            (i) 59.84% of the prepaid wireless 911 service charge revenue to a public safety  
440 answering point in accordance with Section [69-2-302](#);

441            (ii) 20.49% of the prepaid wireless 911 service charge revenue to the Unified Statewide  
442 911 Emergency Service Account created in Section [63H-7a-304](#);

443            (iii) 19.67% of the prepaid wireless 911 service charge revenue to the Utah Statewide  
444 Radio System Restricted Account created in Section [63H-7a-403](#); and

445            (iv) 100% of the prepaid wireless telecommunications service charge revenue to the  
446 Universal Public Telecommunications Service Support Fund created in Section [54-8b-15](#); and

447            (c) after July 1, 2032:

448            (i) 74.49 % of the prepaid wireless 911 service charge revenue to a public safety  
449 answering point in accordance with Section [69-2-302](#);

450            (ii) 25.51 % of the prepaid wireless 911 service charge revenue to the Unified  
451 Statewide 911 Emergency Service Account created in Section [63H-7a-304](#); and

452            (iii) 100% of the prepaid wireless telecommunications service charge revenue to the  
453 Universal Public Telecommunications Service Support Fund created in Section [54-8-15](#).

454            **Section 11. Appropriation.**

455            The following sums of money are appropriated for the fiscal year beginning July 1,  
456 2022, and ending June 30, 2023. These are additions to amounts previously appropriated for  
457 fiscal year 2023. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures  
458 Act, the Legislature appropriates the following sums of money from the funds or accounts  
459 indicated for the use and support of the government of the state of Utah.

460 ITEM 1

461 To Utah Communications Authority -- Administrative Services Division

462 From General Fund, One-time \$17,500,000

463 Schedule of Programs:

464 Administrative Services Division \$17,500,000

465 Under Section [63J-1-603](#) the Legislature intends that appropriations provided under this

466 section not lapse at the close of fiscal year 2021. The use of any nonlapsing funds is limited to

467 expenses necessary to acquire, construct, equip, and install property for, and to make

468 improvements to, the 700/800 MHz radio system, including debt service costs.

469 Section 12. **Effective date.**

470 This bill takes effect on July 1, 2022.