

## **BILL ANALYSIS**

Senate Research Center

C.S.S.B. 484  
By: Duncan  
Economic Development  
3/31/1999  
Committee Report (Substituted)

### **DIGEST**

Currently, Texas law allows all telephone lines, including those which may only be used for data transmission, to be assessed a service charge for 9-1-1 service. C.S.S.B. 484 will prohibit a fee from being imposed on any line that The Advisory Commission on State Emergency Communications excluded from the definition of a local exchange access line or an equivalent local exchange access line.

### **PURPOSE**

As proposed, C.S.S.B. 484 defines a local exchange access line and an equivalent local exchange access line for purposes of the imposition of 9-1-1 emergency services fees and the exclusion of certain telephone lines used to provide Internet access.

### **RULEMAKING AUTHORITY**

Rulemaking authority is granted to the Advisory Commission on State Emergency Communications in SECTION 1 (Section 771.063(a), Health and Safety Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Adds Section 771.063, Health and Safety Code, to require the Advisory Commission on State Emergency Communications (advisory commission) to determine, by rule, what constitutes a local exchange access line and an equivalent local exchange access line for all 9-1-1 emergency service fees imposed statewide. Requires the advisory commission, by October 1, 1999, to adopt definitions of a local exchange access line and an equivalent local exchange access line that exclude a line from a telecommunications service provider to an Internet service provider for the Internet service provider's data modem lines used only to provide its Internet access service and that are not capable of transmitting voice messages. Requires the advisory commission to annually review the definitions of a local exchange access line and an equivalent local exchange access line to address technical and structure changes in the provision of telecommunications and data services. Authorizes the advisory commission to include in the annual review, previously excluded Internet service provider data modem lines if it determines that circumstances have changed sufficiently enough that 9-1-1 emergency calls through those lines are done on a regular basis or that the data lines are voice capable or that the lines are functionally equivalent. Requires an emergency communications district described by Section 771.001(3)(A) or Section 771.001(3)(B) that has not participated in a regional plan to use the advisory commission's definitions of a local exchange access line and an equivalent local exchange access line for purposes of imposing its emergency service fees and may not impose an emergency service fee on any line excluded from the advisory commission's definitions. Requires a service provider to collect and remit the emergency service fees to the advisory commission or the appropriate emergency communication district, as applicable, in accordance with the advisory commission's definition of a local exchange access line and an equivalent local exchange access line.

SECTION 2. Amends Section 771.071(a), Health and Safety Code, to prohibit a fee from being imposed on any line that the advisory commission excluded from the definition of a local exchange access line or an equivalent local exchange access line pursuant to Section 771.063. Deletes text requiring the advisory commission to determine what constitutes an equivalent access line.

SECTION 3. Amends Section 772.114(b), Health and Safety Code, to make a conforming change.

SECTION 4. Amends Section 772.214(b), Health and Safety Code, to make a conforming change.

SECTION 5. Amends Section 772.314(b), Health and Safety Code, to make a conforming change.

SECTION 6. Amends Section 772.403(a), Health and Safety Code, to make a conforming change.

SECTION 7. Provides that this Act takes effect immediately and applies to a fee imposed on or after that date.

SECTION 8. Emergency clause.

### **SUMMARY OF COMMITTEE CHANGES**

SECTION 1.

Adds Section 771.063, Health and Safety Code, to set forth requirements for the commission and service providers regarding local exchange access lines and emergency local exchange access lines.

SECTION 2.

Redesignated from existing SECTION 1. Amends Section 771.071(a), Health and Safety Code, to prohibit a fee from being imposed on any line that the advisory commission excluded from the definition of a local exchange access line or an equivalent local exchange access line pursuant to Section 771.063. Deletes text prohibiting a fee from being imposed on a line to or from an Internet service provider that is only used to provide Internet access to providers' customers and is not capable of transmitting voice messages. Deletes text requiring the advisory commission to determine what constitutes an equivalent local exchange access line.

SECTION 3.

Redesignated from existing SECTION 2. Amends Section 772.114(b), Health and Safety Code, to make a conforming change.

SECTION 4.

Redesignated from existing SECTION 3. Amends Section 772.214(b), Health and Safety Code, to make a conforming change.

SECTION 5.

Redesignated from existing SECTION 4. Amends Section 772.314(b), Health and Safety Code, to make a conforming change.

SECTION 6.

Redesignated from existing SECTION 5. Amends Section 772.403(a), Health and Safety Code, to make a conforming change.

SECTION 7.

Redesignated from existing SECTION 6. Provides that this Act takes effect immediately and applies to a fee imposed on or after that date.

SECTION 8.

Redesignated from existing SECTION 7. Emergency clause.