

Amend CSHB 789 as follows:

(1) On page 66, lines 8-25, strike SECTIONS 85 and 86 of the bill and renumber subsequent SECTIONS accordingly.

(2) Add the following appropriately numbered SECTIONS to read as follows and renumber subsequent SECTIONS accordingly:

SECTION \_\_\_\_\_. Section 57.045, Utilities Code, is amended to read as follows:

Sec. 57.045. POWERS AND DUTIES OF COMMISSION [~~BOARD~~]. (a) The commission [~~board~~] shall administer the fund and the two accounts in the fund.

(b) The commission [~~board~~] shall prepare an annual report that:

(1) details the revenues deposited to the credit of the fund, including each account; and

(2) summarizes the grants and loans made from each account.

(c) Not later than January 15 of each year, the commission [~~board~~] shall submit the report for the preceding year to the governor and to each standing committee in the senate and house of representatives that has jurisdiction over public or higher education.

(d) The commission [~~board~~] may:

(1) enter into contracts with state agencies or private entities necessary to perform the commission's [~~board's~~] duties;

(2) adopt rules as necessary to administer this subchapter;

(3) [~~employ personnel reasonably necessary to perform duties delegated by the board,~~

~~[(4)]~~ appoint one or more committees to assist the commission [~~board~~] in performing the commission's [~~board's~~] duties; and

(4) [~~(5)~~] accept a gift or grant and use it for the purposes of this subchapter.

(e) The commission [~~board~~] shall establish an assistance program to provide education concerning the telecommunications infrastructure fund and to facilitate access to funds and programs under this subchapter by health care facilities and by physicians

licensed to practice medicine in this state. The assistance program must include a toll-free telephone number and provide access to information through the Internet.

(f) A reference in this subchapter or other law to the Telecommunications Infrastructure Fund Board means the commission.

SECTION \_\_\_\_\_. Section 57.051, Utilities Code, is amended to read as follows:

Sec. 57.051. SUNSET PROVISION. The Telecommunications Infrastructure Fund [~~Board~~] is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, [~~the board is abolished and~~] this subchapter expires September 1, 2013 [~~2005~~].

(3) On page 110, lines 18-21, strike Subdivisions (44)-(46) and substitute the following:

- (44) Section 57.042 (2);
- (45) Section 57.044;
- (46) Sections 57.048 (c) and (d);

(4) On page 111, line 23 through page 112, line 3, strike SECTION 138 (a) of the bill and substitute the following:

(a) If, on the day before the effective date of this Act, the assessment prescribed by Section 57.048, Utilities Code, is imposed at a rate of less than 1.25 percent, the comptroller of public accounts shall, effective September 1, 2005, reset the rate of the assessment to 1.25 percent.