

BILL ANALYSIS

C.S.H.B. 1581
By: Driver
Regulated Industries
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, prepaid wireless connections are not charged an emergency service fee. C.S.H.B. 1581 directs the House Committee on Regulated Industries to conduct an interim study on the imposition of such fees on a prepaid connection and prohibits such a fee from being charged on a prepaid connection for a period of time while the study is in progress.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 1581 amends Subchapter D, Chapter 771, Health and Safety Code, by adding Section 771.0745 to define "prepaid wireless telecommunications connection" and prohibit a fee or surcharge authorized by Subchapter D of Chapter 771, Chapter 772, or a home-rule municipality from being imposed on or collected from a wireless service provider for a prepaid wireless connection. The bill provides that this section expires September 1, 2007.

The bill requires the House Committee on Regulated Industries to conduct an interim study regarding the imposition of emergency services fees and surcharges on prepaid wireless connections and other new telecommunications connections that are not charged an emergency service fee, and authorizes the lieutenant governor to designate a senate committee to jointly conduct the study. It requires the committee to submit its results and a proposal for legislation to the lieutenant governor, speaker, and members of the legislature by September 1, 2006.

EFFECTIVE DATE

This Act takes effect September 1, 2005.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The original bill did not provide the sunset date for the section prohibiting the imposition of certain fees and surcharges on a prepaid wireless connection. The substitute provides that the section expires on September 1, 2007.

The original bill did not require an interim study to be conducted. The substitute requires the House Committee on Regulated Industries to conduct an interim study regarding the imposition of emergency services fees and surcharges on certain wireless connections.