

By: Naishtat

H.B. No. 1340

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the funding of a telephone service for blind and  
3 visually impaired persons that provides the text of newspapers  
4 using synthetic speech.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 56.021, Utilities Code, is amended to  
7 read as follows:

8 Sec. 56.021. UNIVERSAL SERVICE FUND ESTABLISHED. The  
9 commission shall adopt and enforce rules requiring local exchange  
10 companies to establish a universal service fund to:

11 (1) assist telecommunications providers in providing  
12 basic local telecommunications service at reasonable rates in high  
13 cost rural areas;

14 (2) reimburse the telecommunications carrier that  
15 provides the statewide telecommunications relay access service  
16 under Subchapter D;

17 (3) finance the specialized telecommunications  
18 assistance program established under Subchapter E;

19 (4) reimburse the department, the Texas Commission for  
20 the Deaf and Hard of Hearing, and the commission for costs incurred  
21 in implementing this chapter and Chapter 57;

22 (5) reimburse a telecommunications carrier providing  
23 lifeline service as provided by 47 C.F.R. Part 54, Subpart E, as  
24 amended;

1           (6) finance the implementation and administration of  
2 an integrated eligibility process created under Section 17.007 for  
3 customer service discounts relating to telecommunications  
4 services, including outreach expenses the commission determines  
5 are reasonable and necessary;

6           (7) reimburse a designated provider under Subchapter  
7 F; ~~and~~

8           (8) reimburse a successor utility under Subchapter G;  
9 and

10           (9) finance the program established under Subchapter  
11 H.

12           SECTION 2. Chapter 56, Utilities Code, is amended by adding  
13 Subchapter H to read as follows:

14                   SUBCHAPTER H. AUDIO NEWSPAPER PROGRAM

15           Sec. 56.301. AUDIO NEWSPAPER ASSISTANCE PROGRAM. The  
16 commission by rule shall establish a program to provide from the  
17 universal service fund financial assistance to a state sponsor of a  
18 free telephone service for blind and visually impaired persons that  
19 provides the text of newspapers using synthetic speech. The amount  
20 of the support may not exceed the amount necessary to become a  
21 sponsor or maintain sponsorship. The commission may adopt rules to  
22 implement the program.

23           Sec. 56.302. ELIGIBILITY. The commission by rule shall  
24 prescribe eligibility standards for a state sponsor of a service  
25 described by Section 56.301 to receive assistance under the  
26 program.

27           Sec. 56.303. RECOVERY OF SURCHARGE. (a) The commission

1 shall allow a telecommunications utility to recover the universal  
2 service fund assessment related to the program described by Section  
3 56.301 through a surcharge added to the utility's customers' bills.

4 (b) The commission shall specify how each utility must  
5 determine the amount of the surcharge and by rule shall prohibit a  
6 utility from recovering an aggregation of more than 12 months of  
7 assessments in a single surcharge. The rules must require a utility  
8 to apply for approval of a surcharge before the 91st day after the  
9 date the period during which the aggregated surcharges were  
10 assessed closes.

11 (c) If a utility chooses to impose the surcharge, the  
12 utility shall include the surcharge in the "universal service fund  
13 surcharge" listing as provided by Section 56.107.

14 SECTION 3. This Act takes effect September 1, 2005.