

By: Driver

H.B. No. 1581

Substitute the following for H.B. No. 1581:

By: Baxter

C.S.H.B. No. 1581

A BILL TO BE ENTITLED

AN ACT

relating to the imposition of emergency service fees and surcharges on certain telecommunications connections.

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

SECTION 1. Subchapter D, Chapter 771, Health and Safety Code, is amended by adding Section 771.0745 to read as follows:

Sec. 771.0745. TEMPORARY EXEMPTION FOR CERTAIN WIRELESS CONNECTIONS. (a) In this section, "prepaid wireless telecommunications connection" means a wireless telecommunications connection that:

(1) is activated in advance either by payment of a finite dollar amount or for a finite set of minutes; and

(2) terminates automatically with use or over time, unless an additional finite dollar amount is paid or finite set of minutes is purchased.

(b) A fee or surcharge authorized by this subchapter, Chapter 772, or a home-rule municipality may not be imposed on or collected from a wireless service provider for a prepaid wireless telecommunications connection.

(c) This section expires September 1, 2007.

SECTION 2. (a) The House Committee on Regulated Industries shall conduct an interim study regarding the imposition of emergency services fees and surcharges on certain wireless telecommunications connections as provided by this section.

1 (b) The lieutenant governor may designate a senate
2 committee to jointly conduct the study with the House Committee on
3 Regulated Industries.

4 (c) The committee shall investigate:

5 (1) methods for charging emergency service fees and
6 surcharges on prepaid wireless telecommunications connections and
7 other new telecommunications connections that are not charged an
8 emergency service fee; and

9 (2) the manner in which providers of those
10 telecommunications connections may collect emergency service fees
11 or surcharges from consumers.

12 (d) Not later than September 1, 2006, the committee shall
13 submit the results of the study and a proposal for legislation to
14 address issues identified by the study to the lieutenant governor,
15 the speaker of the house of representatives, and the members of the
16 legislature.

17 (e) This section expires October 1, 2006.

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