

By: Fraser

S.B. No. 745

A BILL TO BE ENTITLED

AN ACT

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

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

SECTION 1. Section 771.001, Health and Safety Code, is amended by adding Subdivision (14) to read as follows:

(14) "Prepaid wireless telecommunications connection" means a wireless telecommunications connection that:

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

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

SECTION 2. Subchapter D, Chapter 771, Health and Safety Code, is amended by adding Section 771.0745 to read as follows:

Sec. 771.0745. EXEMPTION FOR CERTAIN WIRELESS CONNECTIONS. 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.

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