

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION**

**May 21, 2005**

**TO:** Honorable Troy Fraser, Chair, Senate Committee on Business & Commerce

**FROM:** John S. O'Brien, Deputy Director, Legislative Budget Board

**IN RE: HB1583** by Kolkhorst (Relating to the authority of an emergency services district to obtain information to determine whether the district's 9-1-1 emergency service fee is correctly billed, collected, and remitted.), **Committee Report 2nd House, As Amended**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would amend Subchapter A, Chapter 772 of the Health and Safety Code by adding Section 772.002 to provide information relating to the collection and remittance of the 9-1-1 emergency service fee. The new statute would provide that the section would apply only to a district created under Chapter 772 that collects a 9-1-1 emergency service fee from a service supplier or business service user, except for an incumbent local exchange company as defined in Section 51.002, Utilities Code.

The board of managers of a district would be authorized to require a service supplier or business service user to provide the district with any information the board requires, as long as that information and the format requested are readily available for the service provider's records, to determine whether the service provider or business service user is correctly billing, collecting, and remitting the 9-1-1 fee to the district. Information required from a service provider could include the number of local exchange access lines that the service provider has in the district, and the number of those local exchange access lines that the Commission on State Emergency Communications (commission) excluded from the definition of local exchange access line or an equivalent local exchange access line under Section 771.063. The district would be required to maintain the confidentiality of the information provided. The district would be authorized to bring suit to enforce this section, or to collect fees billed and collected but not remitted to the district.

The bill would authorize the commission to impose an administrative penalty under Subchapter B, Chapter 15 of the Utilities Code against a service provider regulated under the Utilities Code if it does not provide information required by the district or if the provider bills and collects a 9-1-1 services fee as required but does not remit the fee to the appropriate district.

The bill would take effect September 1, 2005 and would apply only to fees imposed on or after that date.

The commission reports that the agency could absorb, using existing resources, any costs associated with additional enforcement and customer protection activities that may result from implementation of the bill.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 473 Public Utility Commission of Texas

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