

By: Hegar

S.B. No. 1848

A BILL TO BE ENTITLED

AN ACT

relating to the distribution of the emergency service fee for wireless telecommunications connections and the prepaid 9-1-1 emergency service fee.

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

SECTION 1. Section 771.056(d), Health and Safety Code, is amended to read as follows:

(d) If the commission approves the plan, it shall allocate to the region from the money collected under Sections 771.071~~7~~~~771.0711~~, and 771.072 and appropriated to the commission the amount that the commission considers appropriate to operate 9-1-1 service in the region according to the plan and contracts executed under Section 771.078.

SECTION 2. Sections 771.0711(c) and (g), Health and Safety Code, are amended to read as follows:

(c) Money collected under Subsection (b) may be used only for services related to 9-1-1 services, including automatic number identification and automatic location information services. Not later than the 15th day after the end of the month in which the money is collected, the commission shall distribute to each emergency communication district that does not participate in the state system and regional planning commission a portion of the money that bears the same proportion to the total amount collected that the population of the area served by the district or regional planning

1 commission bears to the population of the state. ~~The remaining~~
2 ~~money collected under Subsection (b) shall be deposited to the~~
3 ~~9-1-1 services fee account.~~

4 (g) On receipt of an invoice from a wireless service
5 provider for reasonable expenses for network facilities, including
6 equipment, installation, maintenance, and associated
7 implementation costs, ~~the commission or an emergency services~~
8 ~~district of a home-rule municipality or~~ an emergency communication
9 district ~~created under Chapter 772~~ or regional planning commission
10 shall reimburse the wireless service provider in accordance with
11 state law for all expenses related to 9-1-1 service.

12 SECTION 3. Sections 771.077(d) and (e), Health and Safety
13 Code, are amended to read as follows:

14 (d) The comptroller shall:

15 (1) remit to the commission money collected under this
16 section for fees provided by Sections 771.0711 and 771.0712, and
17 associated late penalties;

18 (2) deposit to the 9-1-1 services fee account any
19 money collected under this section for fees provided by Section
20 771.071 and associated late penalties; and

21 (3) deposit to the account as authorized by Section
22 771.072 any money collected under this section for fees provided by
23 Section 771.072 and associated late penalties.

24 (e) The commission shall:

25 (1) ~~deposit or~~ distribute the money remitted under
26 Subsection (d)(1) as Section 771.0711 provides for fees received
27 under that section and Section 771.0712; and

1 (2) distribute the money remitted under Subsection
2 (d)(2) and appropriated to the commission under contracts as
3 provided by Section ~~771.078(b)(1)~~ 771.078(b).

4 SECTION 4. Section 771.078(b), Health and Safety Code, is
5 amended to read as follows:

6 (b) In making contracts under this section, the commission
7 shall ensure that each regional planning commission receives ~~money~~
8 ~~for 9-1-1 service in two separately computed amounts as provided by~~
9 ~~this subsection. The commission must provide each regional~~
10 ~~planning commission with:~~

11 ~~(1)~~ an amount of money equal to the total of the
12 revenue from the emergency service fees collected under Section
13 771.071 that is deposited in the treasury and appropriated to the
14 commission multiplied by a fraction, the numerator of which is the
15 amount of those fees collected from the region and the denominator
16 of which is the total amount of those fees collected in this state,
17 ~~and.~~

18 ~~(2) an amount of money equal to the total of the~~
19 ~~revenue from the emergency service fee for wireless~~
20 ~~telecommunications connections under Section 771.0711 that is~~
21 ~~deposited in the treasury and appropriated to the commission~~
22 ~~multiplied by a fraction, the numerator of which is the population~~
23 ~~of the region and the denominator of which is the population of this~~
24 ~~state.~~

25 SECTION 5. Section 771.079(b), Health and Safety Code, is
26 amended to read as follows:

27 (b) The account consists of:

1 (1) fees deposited in the fund as provided by Sections
2 771.071 ~~and 771.0711~~; and

3 (2) notwithstanding Section 404.071, Government Code,
4 all interest attributable to money held in the account.

5 SECTION 6. The changes in law made by this Act apply only to
6 fees collected after September 1, 2011.

7 SECTION 7. This Act takes effect on September 1, 2011.