

BILL ANALYSIS

S.B. 809
By: Carona
State Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been noted that the Commission on State Emergency Communications (CSEC) is authorized to impose a 9-1-1 service fee of up to 50 cents on certain telephone lines and connections, which CSEC allocates using certain formulas set out in state law. It has been further noted that the Public Utility Commission of Texas (PUC) monitors the establishment of this fee, and if the PUC determines that the recommended rate or allocation is not appropriate, the PUC is required to provide comments to CSEC, the governor, and the Legislative Budget Board regarding appropriate rates and the basis for that determination.

Interested observers point out that the fee for wireless connections is statutorily set, which limits the PUC's review to the landline fee. This fee, currently set at 50 cents, is the same amount, these observers note, as the fee set in 1997. To their knowledge, the observers are unaware of the PUC having ever recommended any reductions to the 9-1-1 fee to ensure that all telephone subscribers, both landline and wireless, are treated at parity.

The observers assert that it is not administratively efficient for the PUC to review CSEC's proposed rates and allocations because they are either statutorily mandated or the potential for reduction in 9-1-1 fees for landlines may discriminate against wireless subscribers and negatively impact CSEC. S.B. 809 seeks to repeal the requirement that the PUC review the 9-1-1 fees and allocations established by CSEC.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 809 amends the Health and Safety Code to repeal statutory provisions relating to the requirement that the Public Utility Commission of Texas monitor the establishment of the 9-1-1 emergency service fee imposed by the Commission on State Emergency Communications on each local exchange access line and the 9-1-1 equalization surcharge on each local exchange access line or equivalent local exchange access line and each wireless telecommunications connection, including the allocation of revenue received from that surcharge.

S.B. 809 repeals Sections 771.0725(a), (b), (c), and (d), Health and Safety Code.

EFFECTIVE DATE

September 1, 2013.