

By: Flynn

H.B. No. 1041

A BILL TO BE ENTITLED

AN ACT

relating to the prepaid wireless 9-1-1 emergency services fee;
clarifying the applicability of the fee.

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

SECTION 1. Section 771.0712(a), Health and Safety Code, is
amended to read as follows:

(a) To ensure that all 9-1-1 agencies under Section 418.051,
Government Code, are adequately funded, [~~beginning on June 1,~~
~~2010,~~] a prepaid wireless 9-1-1 emergency services fee of two
percent of the purchase price of each prepaid wireless
telecommunications service purchased by any method[7] shall be
collected by the seller from the consumer at the time of each retail
transaction of prepaid wireless telecommunications service
occurring in this state and remitted to the comptroller consistent
with Chapter 151, Tax Code, and distributed consistent with the
procedures in place for the emergency services fee in Section
771.0711, Health and Safety Code. A seller may deduct and retain
two percent of prepaid wireless 9-1-1 emergency services fees that
it collects under this section to offset its costs in administering
this fee. Notwithstanding any other provision of this subchapter,
the fee under this subsection is the only 9-1-1 emergency services
fee that applies under this subchapter to a prepaid wireless
telecommunications service.

SECTION 2. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as
2 provided by Section 39, Article III, Texas Constitution. If this
3 Act does not receive the vote necessary for immediate effect, this
4 Act takes effect September 1, 2013.