

By: Carona

S.B. No. 494

A BILL TO BE ENTITLED

AN ACT

relating to the sources of funding for the universal service fund;
authorizing a change in fees.

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

SECTION 1. Section 56.021, Utilities Code, is amended to
read as follows:

Sec. 56.021. UNIVERSAL SERVICE FUND ESTABLISHED. (a) The
commission shall adopt and enforce rules requiring local exchange
companies to establish a universal service fund.

(b) The commission shall evaluate and consider the
implementation of various funding methods to ensure that the
universal service fund has at all times the resources necessary to
meet the public purposes of the fund. The commission must consider
the feasibility and adequacy of imposing a fee on each local
exchange access line or equivalent. The commission must ensure
that the funding method implemented is competitively neutral and
neutral as to communications technology.

(c) The public purposes of the universal service fund are
to:

(1) assist telecommunications providers in providing
basic local telecommunications service at reasonable rates in high
cost rural areas under two plans:

(A) the Texas High Cost Universal Service Plan
(16 T.A.C. Section 26.403); and

1 (B) the Small and Rural Incumbent Local Exchange
2 Company Universal Service Plan (16 T.A.C. Section 26.404);

3 (2) reimburse the telecommunications carrier that
4 provides the statewide telecommunications relay access service
5 under Subchapter D;

6 (3) finance the specialized telecommunications
7 assistance program established under Subchapter E;

8 (4) reimburse the department, the Texas Commission for
9 the Deaf and Hard of Hearing, and the commission for costs incurred
10 in implementing this chapter and Chapter 57;

11 (5) reimburse a telecommunications carrier providing
12 lifeline service as provided by 47 C.F.R. Part 54, Subpart E, as
13 amended;

14 (6) finance the implementation and administration of
15 an integrated eligibility process created under Section 17.007 for
16 customer service discounts relating to telecommunications
17 services, including outreach expenses the commission determines
18 are reasonable and necessary;

19 (7) reimburse a designated provider under Subchapter
20 F;

21 (8) reimburse a successor utility under Subchapter G;
22 and

23 (9) finance the program established under Subchapter
24 H.

25 SECTION 2. This Act takes effect immediately if it receives
26 a vote of two-thirds of all the members elected to each house, as
27 provided by Section 39, Article III, Texas Constitution. If this

S.B. No. 494

1 Act does not receive the vote necessary for immediate effect, this

2 Act takes effect September 1, 2013.