

By: Huffines

S.B. No. 1712

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the elimination of certain charges and programs
3 associated with the universal service fund.

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

5 SECTION 1. Chapter 56, Utilities Code, is amended by adding
6 Subchapter I to read as follows:

7 SUBCHAPTER I. ELIMINATION OF CHARGES AND PROGRAMS NOT REQUIRED BY
8 FEDERAL LAW

9 Sec. 56.351. ELIMINATION OF CHARGES AND PROGRAMS NOT
10 REQUIRED BY FEDERAL LAW. (a) For the purposes of this section,
11 "charge" includes a surcharge and a fee.

12 (b) The commission shall by rule adopt a plan to:

13 (1) eliminate each charge or portion of a charge that:

14 (A) is established under this chapter; and

15 (B) is not required by federal law; and

16 (2) eliminate each program or service that:

17 (A) is established under this chapter or receives
18 funding under this chapter;

19 (B) is funded solely from the universal service
20 fund; and

21 (C) is not required by federal law.

22 (c) The plan must reduce the charges or portions of charges
23 over a five-year period in equal increments so that the charges or
24 portions of charges are eliminated by the end of that period. The

1 five-year period must begin not later than September 1, 2018.

2 (d) If this section conflicts with another provision of this
3 title, this section prevails.

4 SECTION 2. (a) The Public Utility Commission of Texas shall
5 adopt rules as necessary to ensure that:

6 (1) a charge, surcharge, or fee established under
7 Chapter 56, Utilities Code, and not required by federal law is not
8 collected for a billing cycle any part of which falls on or after
9 October 1, 2024; and

10 (2) a charge, surcharge, or fee established under
11 Chapter 56, Utilities Code, due for a billing cycle completed
12 before October 1, 2024, is collected and remitted for deposit to the
13 credit of the universal service fund under Chapter 56, Utilities
14 Code.

15 (b) The change in law made by this Act does not affect the
16 liability for a payment of a charge, surcharge, or fee established
17 under Chapter 56, Utilities Code, that accrues before October 1,
18 2024. That liability continues in effect as if this Act had not
19 been enacted. The former law is continued in effect for the
20 collection of charges, surcharges, or fees due, for remission of
21 the collected charges, surcharges, or fees for deposit to the
22 universal service fund, for enforcement of the liability for and
23 remission of those charges, surcharges, or fees, and for the
24 purposes of Subsection (a)(2) of this section.

25 SECTION 3. This Act takes effect September 1, 2017.