



General Assembly

January Session, 2007

Raised Bill No. 7270

LCO No. 4679

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Referred to Committee on Public Safety and Security

Introduced by:
(PS)

AN ACT CONCERNING THE EMERGENCY 9-1-1 SURCHARGE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2007*) As used in sections 1 to 4,
2 inclusive, of this act:

3 (1) "Active prepaid wireless telephone service", means a prepaid
4 wireless telephone service that has been used by the customer not
5 earlier than the prior month to complete a telephone call for which the
6 customer's card or balance has been decreased.

7 (2) "Prepaid wireless telephone service", means a wireless telephone
8 service that is activated in advance by payment for a finite dollar
9 amount of service or for a finite set of minutes that terminate either
10 upon use by a customer and delivery by the wireless provider of an
11 agreed upon amount of service corresponding to the total dollar
12 amount paid in advance or within a certain period of time following
13 the initial purchase or activation, unless additional payments are
14 made.

15 (3) "Mobile telephone number" or "MTN", means the telephone

16 number assigned to a wireless telephone at the time of activation.

17 (4) "Voice over Internet protocol telephone service" or "VOIP",
18 means a service provided by companies that allows customers to place
19 local and long distance telephone calls over the Internet.

20 (5) "Voice over Internet protocol telephone service provider" or
21 "VOIP telephone service provider", means a company that provides
22 local and long distance VOIP telephone service.

23 Sec. 2. (NEW) (*Effective July 1, 2007*) All subscribers to an active
24 prepaid wireless telephone service shall be assessed a fee to fund the
25 enhanced emergency 9-1-1 program in accordance with section 16-256g
26 of the general statutes, as amended by this act. Such fee shall be
27 remitted based upon each prepaid wireless telephone associated with
28 this state, for each wireless service customer that has a positive balance
29 of minutes as of the last day of each month. The fee shall be remitted to
30 the office of the State Treasurer for deposit in the Enhanced 9-1-1
31 Telecommunications Fund, established pursuant to section 28-30a of
32 the general statutes, in any manner consistent with the wireless
33 provider's existing operating or technological abilities, such as
34 customer address, location associated with the MTN or other
35 reasonable allocation method based upon comparable relevant data.
36 The fee or an equivalent number of minutes may be deducted from the
37 prepaid subscriber's account if direct billing is not practicable.
38 Collection of the fee by reduction of value or minutes from the prepaid
39 subscriber's account does not constitute a reduction in the sales prices
40 for purposes of the taxes that are collected at the point of sale.

41 Sec. 3. (NEW) (*Effective July 1, 2007*) Each VOIP telephone service
42 provider shall assess a monthly fee against each subscriber to fund the
43 enhanced emergency 9-1-1 program in accordance with section 16-256g
44 of the general statutes, as amended by this act, and each such provider
45 shall comply with all of the requirements of chapter 518a of the general
46 statutes regarding the provision of enhanced 9-1-1 services in the state
47 of Connecticut. All access line assessments collected each month by

48 telephone or telecommunications companies providing local telephone
49 service and providers of commercial mobile radio service shall be
50 remitted in any manner consistent with the voice over Internet
51 protocol provider's existing operating or technological abilities to the
52 office of the State Treasurer for deposit into the Enhanced 9-1-1
53 Telecommunications Fund established pursuant to section 28-30a of
54 the general statutes, not later than the fifteenth day of each month.

55 Sec. 4. Section 16-256g of the general statutes is repealed and the
56 following is substituted in lieu thereof (*Effective October 1, 2007*):

57 (a) By June first of each year, the Department of Public Utility
58 Control shall conduct a proceeding to determine the amount of the
59 monthly fee to be assessed against each subscriber of: [local] (1) Local
60 telephone service, [and each subscriber of] (2) commercial mobile radio
61 service, as defined in 47 CFR Section 20.3, (3) voice over Internet
62 protocol telephone service, and (4) prepaid wireless telephone service
63 to fund the development and administration of the enhanced
64 emergency 9-1-1 program. The department shall base such fee on the
65 findings of the Commissioner of Public Safety, pursuant to subsection
66 (c) of section 28-24, taking into consideration any existing moneys
67 available in the Enhanced 9-1-1 Telecommunications Fund. The
68 department shall consider the progressive wire line inclusion schedule
69 contained in the final report of the task force to study enhanced 9-1-1
70 telecommunications services established by public act 95-318*. The
71 department shall not approve any fee greater than fifty cents per
72 month per access line nor shall it approve any fee that does not include
73 the progressive wire line inclusion schedule.

74 (b) Each telephone or telecommunications company providing local
75 telephone service, [and] each provider of commercial mobile radio
76 service, each provider of prepaid wireless telephone service and each
77 provider of voice over Internet protocol telephone service shall assess
78 against each subscriber, the fee established by the department
79 pursuant to subsection (a) of this section, which shall be deposited in

80 the Enhanced 9-1-1 Telecommunications Fund.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2007</i>	New section
Sec. 2	<i>July 1, 2007</i>	New section
Sec. 3	<i>July 1, 2007</i>	New section
Sec. 4	<i>October 1, 2007</i>	16-256g

Statement of Purpose:

To require that active prepaid wireless telephone subscribers pay the E 9-1-1 surcharge, and to require voice over Internet protocol providers to provide enhanced 9-1-1 service to their subscribers as well as requiring their subscribers to pay the E 9-1-1 surcharge.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]