



General Assembly

Amendment

January Session, 2011

LCO No. 8130

HB0632708130HDO

Offered by:

REP. DARGAN, 115th Dist.

SEN. DAILY, 33rd Dist.

REP. GIEGLER, 138th Dist.

To: Subst. House Bill No. 6327

File No. 757

Cal. No. 454

"AN ACT CONCERNING THE ENHANCED EMERGENCY 9-1-1 PROGRAM."

1 In line 20, after "schedule", insert ", nor shall it approve any fee for
2 commercial mobile radio service, as defined in 47 CFR Section 20.3,
3 that includes the progressive wire line inclusion schedule"

4 In line 72, delete "of minutes"

5 In line 73, delete "of minutes"

6 In line 99, after "retail transaction." insert "For the purposes of this
7 section, if a consumer purchase includes multiple prepaid wireless
8 telecommunications services, then each such individual service
9 constitutes a retail transaction."

10 In line 104, strike "by some other manner" and insert in lieu thereof
11 "posted conspicuously on the seller's Internet web site or on a sign
12 conspicuously displayed to the consumer at the point of sale"

13 In line 117, delete "collects" and insert in lieu thereof "is required to
14 collect"

15 Strike sections 5 and 6 in their entirety and renumber the remaining
16 sections and internal references accordingly

17 After the last section, add the following and renumber sections and
18 internal references accordingly:

19 "Sec. 501. (NEW) (*Effective January 1, 2012*) (a) Any seller who
20 collects a prepaid wireless E 9-1-1 charge shall remit such fee to the
21 Department of Revenue Services at such time and in such manner as
22 required by the Sales and Use Taxes Act. The Department of Revenue
23 Services shall establish registration and payment procedures that
24 substantially coincide with the registration and payment procedures
25 that apply to retail sellers under the Sales and Use Taxes Act.

26 (b) Notwithstanding the provisions of the Sales and Use Taxes Act,
27 a seller who collects a prepaid wireless E 9-1-1 fee may retain one per
28 cent of such fee.

29 (c) The audit and appeal procedures applicable under the Sales and
30 Use Taxes Act shall apply to each prepaid wireless E 9-1-1 fee.

31 (d) The Department of Revenue Services shall establish procedures
32 by which a seller of prepaid wireless telecommunications service may
33 document that a sale is not a retail transaction, which procedures shall
34 substantially coincide with the procedures for documenting sale for
35 resale transactions for purposes of the Sales and Use Taxes Act.

36 (e) The Department of Revenue Services shall, not later than thirty
37 days after receiving any prepaid wireless E 9-1-1 fee, transfer such fee
38 to the office of the State Treasurer for deposit into the Enhanced 9-1-1
39 Telecommunications Fund, established pursuant to section 28-30a of
40 the general statutes, as amended by this act. Any revenue from the
41 prepaid wireless E 9-1-1 fee shall be subject to any restrictions
42 provided by section 28-30a of the general statutes, as amended by this

43 act. The Department of Revenue Services may make a one-time
44 deduction of not more than one hundred twenty thousand dollars
45 from such fund and may use said amount to reimburse its direct costs
46 of administering the collection and remittance of prepaid wireless E 9-
47 1-1 fees.

48 Sec. 502. Subsection (d) of section 28-28a of the general statutes is
49 repealed and the following is substituted in lieu thereof (*Effective*
50 *January 1, 2012*):

51 (d) No telephone company, certified telecommunications provider,
52 provider of wireless telecommunications service pursuant to a license
53 issued by the Federal Communications Commission, provider of
54 prepaid wireless telecommunications service, or [its] the agents of any
55 such company or provider and no voice over Internet protocol service
56 provider or its agents shall be liable to any person or entity for release
57 of the information specified in this section, or for any failure of
58 equipment or procedure in connection with the enhanced 9-1-1 service
59 or an emergency notification system established under sections 28-25
60 to 28-29b, inclusive.

61 Sec. 503. Section 28-25 of the general statutes is amended by adding
62 subdivisions (18) and (19) as follows (*Effective January 1, 2012*):

63 (NEW) (18) "Certified telecommunications provider" has the same
64 meaning as provided in section 16-1.

65 (NEW) (19) "Prepaid wireless telecommunications service" has the
66 same meaning as provided in section 28-30b, as amended by this act."