

Tinsman
Hansen
Miller

SSB-1168

Judiciary
Succeeded By
SB/HF 474

SENATE FILE
BY (PROPOSED COMMITTEE ON
JUDICIARY BILL BY
CHAIRPERSON MADDOX)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act requiring E911 surcharges remitted by a provider to be
2 reported in a standard format.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 34A.7, subsection 2, Code 2001, is
2 amended to read as follows:

3 2. SURCHARGE COLLECTED BY PROVIDERS. The surcharge shall
4 be collected as part of the access line service provider's
5 periodic billing to a subscriber. In compensation for the
6 costs of billing and collection, the provider may retain one
7 percent of the gross surcharges collected. If the
8 compensation is insufficient to fully recover a provider's
9 costs for billing and collection of the surcharge, the
10 deficiency shall be included in the provider's costs for
11 ratemaking purposes to the extent it is reasonable and just
12 under section 476.6. The surcharge shall be remitted to the
13 E911 service operating authority for deposit into the E911
14 service fund quarterly by the provider. The surcharges may be
15 combined and remitted together by the provider so long as the
16 remitted surcharges are accompanied by a report which contains
17 the following information:

- 18 a. Exchange from which each surcharge was collected.
19 b. Number of lines to which the surcharge was applied that
20 quarter.
21 c. Number of refusals to pay the surcharge in each
22 exchange.
23 d. Number of write-offs applied in each exchange.
24 e. Number of exempt federal facilities in each exchange.
25 f. Amount of the one percent administration fee for
26 billing and collection costs retained by the provider.

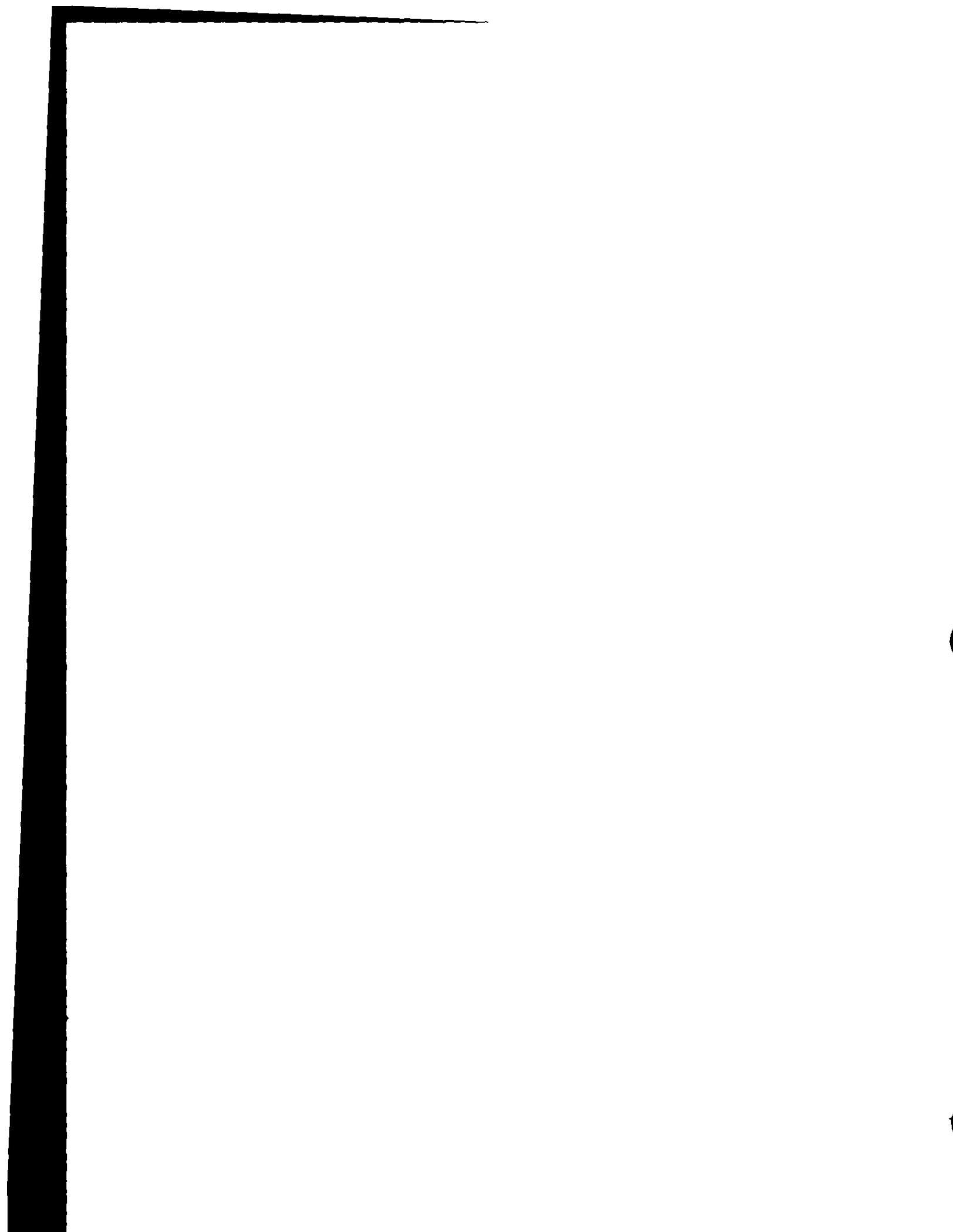
27 PARAGRAPH DIVIDED. A provider is not liable for an
28 uncollected surcharge for which the provider has billed a
29 subscriber but not been paid. The surcharge shall appear as a
30 single line item on a subscriber's periodic ~~billing~~ bill, as
31 "E911 emergency telephone service surcharge". The E911
32 service surcharge is not subject to sales or use tax.

33 EXPLANATION

34 This bill provides that E911 surcharges that are billed and
35 collected by a provider and remitted to the E911 service

1 operating authority must be reported in a standard format
 2 which contains information concerning the exchange from which
 3 the surcharge was collected, the number of lines to which the
 4 surcharge was applied that quarter, the number of refusals to
 5 pay the surcharge in each exchange, the number of write-offs
 6 applied in each exchange, the number of exempt federal
 7 facilities in each exchange, and the amount of the 1 percent
 8 administration fee for the costs of billing and collecting the
 9 surcharges that was retained by the provider.

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H-3/28/01 Judiciary

3/28/01 Referred To: Love You

FILED MAR 15

SENATE FILE 474
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 1168)

Passed Senate, Date (P 163) 3-27-01 Passed House, Date _____
Vote: Ayes 49 Nays 0 Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act requiring E911 surcharges remitted by a provider to be
2 reported in a standard format and providing that the reported
3 information be used only to provide E911 service.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 474

1 Section 1. Section 34A.7, subsection 2, Code 2001, is
2 amended to read as follows:

3 2. SURCHARGE COLLECTED BY PROVIDERS. The surcharge shall
4 be collected as part of the access line service provider's
5 periodic billing to a subscriber. In compensation for the
6 costs of billing and collection, the provider may retain one
7 percent of the gross surcharges collected. If the
8 compensation is insufficient to fully recover a provider's
9 costs for billing and collection of the surcharge, the
10 deficiency shall be included in the provider's costs for
11 ratemaking purposes to the extent it is reasonable and just
12 under section 476.6. The surcharge shall be remitted to the
13 E911 service operating authority for deposit into the E911
14 service fund quarterly by the provider. The surcharges may be
15 combined and remitted together by the provider so long as the
16 remitted surcharges are accompanied by a report which contains
17 the following information:

- 18 a. Exchange from which each surcharge was collected.
19 b. Number of lines to which the surcharge was applied that
20 quarter.
21 c. Number of refusals to pay the surcharge in each
22 exchange.
23 d. Number of write-offs applied in each exchange.
24 e. Number of exempt federal facilities in each exchange.
25 f. Amount of the one percent administration fee for
26 billing and collection costs retained by the provider.

27 PARAGRAPH DIVIDED. A provider is not liable for an
28 uncollected surcharge for which the provider has billed a
29 subscriber but not been paid. The surcharge shall appear as a
30 single line item on a subscriber's periodic billing entitled,
31 "E911 emergency telephone service surcharge". The E911
32 service surcharge is not subject to sales or use tax.

33 Sec. 2. Section 34A.8, subsection 2, Code 2001, is amended
34 to read as follows:

35 2. Subscriber information remains the property of the

1 local exchange service provider.

2 The joint E911 service board, the designated E911 provider,
3 and the public safety answering point, their agents,
4 employees, and assigns shall use local exchange service
5 information, including information collected by the access
6 line service provider pursuant to section 34A.7, subsection 2,
7 paragraphs "a" through "f", and provided by the local exchange
8 service provider solely for the purposes of providing E911
9 emergency telephone service, and it shall otherwise be kept
10 confidential. A person who violates this section is guilty of
11 a simple misdemeanor.

12 This chapter does not require a local exchange service
13 provider to sell or provide its subscriber names, addresses,
14 or telephone number information to any person other than the
15 E911 service provider designated by the joint E911 service
16 board.

17 EXPLANATION

18 This bill provides that E911 surcharges that are billed and
19 collected by a provider and remitted to the E911 service
20 operating authority must be reported in a standard format
21 which contains information concerning the exchange from which
22 the surcharge was collected, the number of lines to which the
23 surcharge was applied that quarter, the number of refusals to
24 pay the surcharge in each exchange, the number of write-offs
25 applied in each exchange, the number of exempt federal
26 facilities in each exchange, and the amount of the 1 percent
27 administration fee for the costs of billing and collecting the
28 surcharges that was retained by the provider.

29 The bill also requires that information collected by the
30 access line service providers for the report pursuant to Code
31 section 34A.7, subsection 2, paragraphs "a" through "f" be
32 used only to provide E911 service and otherwise be kept
33 confidential.

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