

Senate Study Bill 230

Bill Text

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1 1 Section 1. Section [34A.15](#), Code 1997, is amended by adding
1 2 the following new subsections:

1 3 NEW SUBSECTION. 2A. a. Notwithstanding section 34A.6,
1 4 the council, in consultation with the utilities board within
1 5 the utilities division of the department of commerce, shall
1 6 impose a monthly surcharge of up to one dollar on each
1 7 wireless communications service account provided in this
1 8 state.

1 9 b. The surcharge shall be collected as part of the
1 10 wireless communications service provider's periodic billing to
1 11 a subscriber. In compensation for the costs of billing and
1 12 collection, the provider may retain one percent of the gross
1 13 surcharges collected. The surcharges shall be remitted
1 14 quarterly by the provider to the E911 communications council
1 15 for deposit into the fund established in subsection 4. A
1 16 provider is not liable for an uncollected surcharge for which
1 17 the provider has billed a subscriber but not been paid. The
1 18 surcharge shall appear as a single line item on a subscriber's
1 19 periodic billing entitled, "E911 emergency telephone service
1 20 surcharge". The E911 service surcharge is not subject to
1 21 sales or use tax.

1 22 NEW SUBSECTION. 2B. Moneys collected pursuant to
1 23 subsection 3 shall be deposited in a separate fund within the
1 24 state treasury under the control of the council to be expended
1 25 and distributed annually as follows:

1 26 a. Ten percent of the total surcharges collected or two
1 27 hundred thousand dollars, whichever is greater, shall be
1 28 retained by the council for implementation, support, and
1 29 maintenance of the functions of the council.

1 30 b. (1) The remainder of the surcharge collected shall be
1 31 divided into one hundred equal shares, with one share for each
1 32 county, to be remitted to the joint E911 service board serving
1 33 the county, with the remaining share to be remitted to the
1 34 communications division of the Iowa highway safety patrol in
1 35 the department of public safety, to be used for the
2 1 implementation of enhanced wireless communications
2 2 capabilities.

2 3 (2) If a county does not have a joint E911 service board,
2 4 that county's share of the surcharge shall be held in trust in
2 5 a separate account in the state treasury until such time as
2 6 the county establishes the board. If the county does not
2 7 create a joint E911 service board by July 1, 2002, the council
2 8 shall distribute the funds held in trust for that county
2 9 equally to all remaining joint E911 service boards.

2 10 NEW SUBSECTION. 2C. For purposes of this section,
2 11 "wireless communications service" means a radio-link telephone
2 12 service providing dial tone access to a portable, mobile, or
2 13 fixed location for which a charge is levied. "Wireless
2 14 communications service" includes, but is not limited to, radio
2 15 repeater stations operated in the specialized mobile radio
2 16 service where the telephone service is secondary to the radio
2 17 repeater use, and cellular communications services.

2 18 EXPLANATION

2 19 This bill provides that the E911 communications council, in
2 20 consultation with the utilities board within the utilities
2 21 division of the department of commerce, is to impose a monthly

2 22 surcharge of up to one dollar on each wireless communications
2 23 service account provided in this state. The surcharge is to
2 24 be collected by the wireless communications service provider
2 25 and remitted to the council. Such provider is authorized to
2 26 retain one percent of the amount collected for administration.
2 27 The council is to distribute the surcharge collected with 10
2 28 percent or \$200,000, whichever is greater, to be retained by
2 29 the council for implementation, support, and maintenance of
2 30 the functions of the council, and the balance to be
2 31 distributed in equal shares, with one share for the joint E911
2 32 service board in each county and one share for the
2 33 communications division of the Iowa highway safety patrol.
2 34 Moneys distributed are to be used for the implementation of
2 35 enhanced wireless communications capabilities. If a county
3 1 does not have a joint E911 service board, that county's share
3 2 of the surcharge shall be held in trust in a separate account
3 3 in the state treasury until such time as the county
3 4 establishes a board. If the county does not create a joint
3 5 E911 service board by July 1, 2002, the council shall
3 6 distribute the funds held in trust for that county equally to
3 7 all remaining joint E911 service boards.
3 8 LSB 2481SC 77
3 9 mj/jw/5