

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

A BILL FOR

1 An Act to rename the dual party relay service and to establish an
2 equipment distribution program for persons with communication
3 impairments.

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

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HF 2300

1 Section 1. Section 477C.1, Code 2003, is amended by
2 striking the section and inserting in lieu thereof the
3 following:

4 477C.1 TELECOMMUNICATIONS RELAY SERVICE AND EQUIPMENT
5 DISTRIBUTION PROGRAM -- PURPOSE.

6 The general assembly finds that the provision of a
7 statewide telecommunications relay service and equipment
8 distribution program will further the public interest and
9 protect the health, safety, and welfare of the people of Iowa
10 through an increase in the availability of the telephone
11 system and specialized telecommunications devices. Many
12 persons who are deaf, hard-of-hearing, speech-impaired, or
13 have other physical, sensory, mobility, and cognitive
14 impairments are not able to utilize the telephone system or
15 telephone equipment without this type of service or such
16 devices. Therefore, it is the purpose of this chapter to
17 facilitate the development, operation, promotion, and funding
18 of a statewide telecommunications relay service, and the
19 planning, establishment, administration, and promotion of an
20 equipment distribution program designed to serve the needs of
21 persons with communication impairments.

22 Sec. 2. Section 477C.2, Code 2003, is amended by striking
23 the section and inserting in lieu thereof the following:

24 477C.2 DEFINITIONS.

25 As used in this chapter, unless the context otherwise
26 requires:

27 1. "Board" means the utilities board within the department
28 of commerce created in section 474.1.

29 2. "Council" means the telecommunications relay council
30 established in section 477C.5.

31 3. "Person with a communication impairment" means an
32 individual who has been certified by an appropriate
33 professional to be deaf, hard-of-hearing, or have a speech,
34 mobility, cognitive, or other sensory or physical impairment
35 that limits the individual's ability to use or access a

1 standard telephone for communication.

2 4. "Specialized telecommunications device" means any
3 assistive, supplemental, or adapted equipment used by a person
4 with a communication impairment to use or access the telephone
5 system.

6 5. "Telecommunications relay service" or "relay service"
7 means a communication service which provides a person with a
8 communication impairment access to the telephone system
9 functionally equivalent to the access available to persons who
10 do not have such impairments.

11 Sec. 3. Section 477C.3, Code 2003, is amended to read as
12 follows:

13 477C.3 ~~DUAL-PARTY~~ TELECOMMUNICATIONS RELAY SERVICE.

14 With the advice of the council, the board shall plan,
15 establish, administer, and promote a statewide program to
16 provide ~~dual-party~~ telecommunications relay service as
17 follows:

18 1. The board may enter into the necessary contracts and
19 arrangements with private entities to provide for the delivery
20 of relay service.

21 2. The relay service, to the extent reasonably possible,
22 shall allow persons with communication impairments to use the
23 telephone system in a manner and at a rate equivalent to
24 persons ~~without-communication~~ who do not have such
25 impairments.

26 3. The relay service may be provided on a stand-alone
27 basis within the state, with other states, or with telephone
28 utilities providing relay service in other states.

29 4. The board may employ additional personnel, pursuant to
30 section 476.10, to plan, establish, administer, and promote
31 the relay service.

32 Sec. 4. Section 477C.4, Code 2003, is amended to read as
33 follows:

34 477C.4 ~~TELECOMMUNICATIONS-DEVICES-FOR-THE-DEAF~~ EQUIPMENT
35 DISTRIBUTION PROGRAM.

1 With the advice of the council, the board may plan,
2 establish, administer, and promote a program to secure,
3 finance, and distribute specialized telecommunications devices
4 ~~for-the-deaf~~. The board ~~may~~ shall establish eligibility
5 criteria for persons with a communication impairment to
6 receive specialized telecommunications devices ~~for-the-deaf~~,
7 including, but not limited to, requiring certification that
8 the recipient cannot use the telephone for communication
9 without a specialized telecommunications device ~~for-the-deaf~~.

10 Sec. 5. Section 477C.5, Code 2003, is amended to read as
11 follows:

12 477C.5 ~~DUAL-PARTY~~ TELECOMMUNICATIONS RELAY COUNCIL.

13 1. A ~~dual-party~~ telecommunications relay council is
14 established, consisting of eleven members appointed by the
15 board. The council shall advise the board on all matters
16 concerning relay service and equipment distribution programs.

17 2. The council shall consist of:

18 a. Six consumers who ~~have~~ are persons with a communication
19 impairments impairment.

20 b. Two representatives from telephone companies.

21 c. One representative from the division of deaf services
22 of the department of human rights.

23 d. One representative from the office of the consumer
24 advocate of the department of justice.

25 e. One member of the board or a designee of the board.

26 3. Council members who are not state or local government
27 officers or employees shall be reimbursed for their necessary
28 and actual expenses incurred in performance of their duties
29 and shall receive a per diem of fifty dollars when the council
30 is meeting, payable from moneys available to the board
31 pursuant to section 477C.7.

32 Sec. 6. CODE EDITOR DIRECTIVE. The Code editor shall
33 correct any references to the telecommunications relay service
34 as the successor to the dual party relay service, including
35 grammatical constructions, anywhere else in the Iowa Code, in

1 any bills awaiting codification, and in any bills enacted by
2 the Eightieth General Assembly, 2004 Regular Session.

3 EXPLANATION

4 This bill provides for the establishment of a
5 telecommunications relay service and equipment distribution
6 program. The bill involves terminology changes and an
7 expanded scope from the dual party relay provisions currently
8 contained within Code chapter 477C.

9 The bill provides a statement of purpose section setting
10 forth the rationale for the program. The bill provides that a
11 statewide telecommunications relay service and equipment
12 distribution program will further the public interest and
13 protect the health, safety, and welfare of the people of Iowa
14 through an increase in the availability of the telephone
15 system and specialized telecommunications devices. The bill
16 provides that many persons who are deaf, hard-of-hearing,
17 speech-impaired, or otherwise impaired are not able to utilize
18 the telephone system or telephone equipment without such a
19 service or such devices, and that accordingly, the purpose of
20 the chapter is to facilitate the development, operation,
21 promotion, and funding of a statewide telecommunications relay
22 service, and the planning, establishment, administration, and
23 promotion of an equipment distribution program designed to
24 serve the needs of persons with communication impairments.

25 The bill provides that references to "dual party" relay
26 service shall be changed to "telecommunications" relay
27 service, and changes the definition of "communication
28 impairment" to a "person with a communication impairment".
29 The bill provides that a person with a communication
30 impairment means an individual who has been certified by an
31 appropriate professional to be deaf, hard-of-hearing, or have
32 a speech, mobility, cognitive, or other sensory or physical
33 impairment that limits the individual's ability to use or
34 access a standard telephone for communication. The bill
35 provides that a "telecommunications relay service" or "relay

1 service" means a communication service which provides a person
2 with a communication impairment access to the telephone system
3 functionally equivalent to the access available to persons who
4 do not have such impairments, and that a "specialized
5 telecommunications device" means any assistive, supplemental,
6 or adapted equipment used by a person with a communication
7 impairment to use or access the telephone system. The bill
8 provides for changes in several sections of Code chapter 477C
9 consistent with these revised definitions.

10 The bill additionally provides that, in regard to the
11 equipment distribution program, the board shall establish
12 eligibility criteria for persons to receive specialized
13 telecommunications devices. Currently, Code section 477C.4
14 provides that the board "may" establish such criteria. The
15 bill also provides, in regard to the telecommunications relay
16 council, that the six consumer members shall be persons with a
17 communication impairment. Currently, the requirement is
18 phrased "impairments".

19 The Code editor is directed to make all necessary changes
20 to existing provisions of the Code and prospective enactments
21 by the general assembly.

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