

BILL ANALYSIS

Senate Research Center

H.B. 1668
By: Junell (Cain)
Economic Development
5-11-97
Engrossed

DIGEST

Currently, the Health and Safety Code provides that an emergency service fee is established by the Advisory Commission on State Emergency Communications (ACSEC) on each local exchange access line or equivalent with exceptions. The fee may not exceed 50 cents per month per line and ACSEC may set the fee in a different amount in each regional planning commission region based on the cost of providing 9-1-1 service within each region. The Health and Safety Code also provides that ACSEC shall impose a 9-1-1 equalization surcharge on each customer receiving intrastate long-distance service at a rate not to exceed one and three-tenths of one percent (0.00013) of the charges for intrastate long-distance service, as defined by ACSEC. H.B. 1668 allows the Public Utility Commission of Texas to establish rates for fees collected and allocations of the money collected from the rates.

PURPOSE

As proposed, H.B. 1668 provides for fees imposed to fund 9-1-1 services and regional poison control centers, and establishes the oversight of the collection and use of those fees.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 771D, Health and Safety Code, by adding Section 771.0725, as follows:

Sec. 771.0725. ESTABLISHMENT OF RATES FOR FEES. Requires the Public Utility Commission of Texas (commission), subject to the applicable limitations prescribed by Sections 771.071(b) and 771.072(b), (d), and (e), to monitor the establishment of emergency service fees imposed under Section 771.071; and the equalization surcharge imposed under Section 771.072, including the allocation of revenue under Sections 771.072(d) and (e). Sets forth the terms by which the Advisory Commission on State Emergency Communications (ACSEC) is required to provide documentation to the commission each year regarding the rate at which each fee should be imposed and the allocation of revenue, and by which the commission is required to review the documentation as well as allocations derived therefrom and also identified by ACSEC. Requires the commission to provide certain comments to ACSEC, the governor, and the Legislative Budget Board upon determining that a recommended rate or allocation is not appropriate. Sets forth the terms by which the commission is authorized to review and make comments regarding a rate or allocation in an informal proceeding.

SECTION 2. Amends Section 771.076, Health and Safety Code, by amending Subsection (b), and adding Subsections (c) and (d), to authorize the comptroller, if the comptroller conducts an audit of a service provider that collects and disburses fees or surcharges under this subchapter, to also audit those collections and disbursements to determine if the provider is complying with this chapter. Authorizes the state auditor, at the request of the commission, to audit a regional planning commission or other public agency designated by the regional planning commission that receives money under this subchapter. Makes conforming changes.

SECTION 3. Requires ACSEC to provide documentation to the commission not later than September 1, 1998. Requires the commission to review the rates of the emergency service fee imposed under Section 771.071, Health and Safety Code, and the equalization surcharge imposed under Section 771.072, Health and Safety Code, including the allocation of revenue under Sections 771.072(d) and (e).

SECTION 4. Emergency clause.
Effective date: upon passage.