

BILL ANALYSIS

Senate Research Center
76R12453 JJT-D

C.S.S.B. 1441
By: Barrientos
Human Services
4/14/1999
Committee Report (Substituted)

DIGEST

Currently, the specialized telecommunications device assistance program only provides devices to individuals who are deaf or hard of hearing and not to individuals with other disabilities that make it difficult or impossible to use standard telecommunications devices. This bill would allow the Texas Public Utility Commission and the Commission for the Deaf and Hard of Hearing to provide assistive telecommunications devices for individuals with serious disabilities.

PURPOSE

As proposed, C.S.S.B. 1441 sets forth guidelines for the expansion of the specialized telecommunications devices assistance program.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the Texas Commission for the Deaf and Hard of Hearing in SECTION 5 (Section 56.152, Utilities Code) and the Public Utility Commission of Texas and the Texas Commission for the Deaf and Hard of Hearing in SECTION 5 (Sections 56.151 and 56.153, Utilities Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 56.021, Utilities Code, to require the Public Utility Commission of Texas (PUC) to adopt and enforce rules requiring local exchange companies to establish a universal service fund to finance the specialized telecommunications assistance program.

SECTION 2. Amends Section 56.110(a), Utilities Code, to provide that an advisory committee to assist PUC is composed of certain persons, including two persons with certain disabilities that impair the ability to effectively access the telephone network. Makes conforming changes.

SECTION 3. Amends Section 56.111, Utilities Code, to require the advisory committee to advise the PUC and the Texas Commission for the Deaf and Hard of Hearing (commission for the deaf) regarding devices or services suitable to meet the needs of persons with disabilities. Deletes text regarding the hearing impaired. Makes a conforming change.

SECTION 4. Amends the heading of Chapter 56E, Utilities Code, as follows:

SUBCHAPTER E. SPECIALIZED TELECOMMUNICATIONS ASSISTANCE PROGRAM

SECTION 5. Amends Sections 56.151 - 56.154, Utilities Code, as follows:

Sec. 56.151. New heading: SPECIALIZED TELECOMMUNICATIONS ASSISTANCE PROGRAM. Requires PUC and the commission for the deaf, by rule, to establish a specialized telecommunications program to financially assist individuals with disabilities that impair the individual's ability to effectively access the telephone network, rather than certain individuals who are deaf or have an impairment of hearing or speech, to enable the individuals to purchase specialized services.

Sec. 56.152. ELIGIBILITY. Requires the commission for the deaf, by rule, to prescribe eligibility standards for individuals, including deaf individuals and those who have an impairment of hearing or speech.

Sec. 56.153. VOUCHERS. Requires the commission for the deaf to distribute certain vouchers to eligible

applicants for devices or services, rather than devices for the deaf (TDD or TTY). Requires PUC and the commission for the deaf, by rule, to provide that a distributor of devices or a provider of services will not receive more than full price of the device or service if certain action is taken. Makes conforming changes.

Sec. 56.154. COMMISSION DUTIES. Requires PUC to pay a telecommunications service provider who prevents a voucher for payment, not later than the 45th day after PUC receives the voucher. Makes conforming changes.

SECTION 6. Amends Section 56.155(a), Utilities Code, to make a conforming change.

SECTION 7. Provides that the text of Sections 56.021, 56.110(a), 56.111, 56.151, 56.152, and 56.153, 56.154, and 56.155(a), Utilities Code, gives effect to changes made by Chapter 149, Acts of the 75th Legislature, Regular Session, 1997. Provides that this Act prevails over another Act of the 76th Legislature, Regular Session, 1999, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 5. Effective date: September 1, 1999.

SECTION 6. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

SECTION 1.

Amends Section 56.021, Utilities Code, to require PUC to adopt and enforce rules requiring local exchange companies to establish a universal service fund to finance the specialized telecommunications assistance program.

SECTION 2.

Amends Section 56.110(a), Utilities Code, to provide that an advisory committee to assist PUC is composed of certain persons, including two persons with certain disabilities that impair the ability to effectively access the telephone network.

SECTION 3.

Amends Section 56.111, Utilities Code, to require the advisory committee to advise the PUC and the commission for the deaf regarding devices or services suitable to meet the needs of persons with disabilities.

SECTION 4.

Amends the heading to Chapter 56E, Utilities Code.

SECTION 5.

Amends Section 56.151, Utilities Code, to require PUC and the commission for the deaf, by rule, to establish a specialized telecommunications program to financially assist individuals with disabilities that impair the individual's ability to effectively access the telephone network to enable the individuals to purchase specialized services.

Amends Section 56.153, Utilities Code, to require the commission for the deaf to distribute certain vouchers to eligible applicants for devices or services. Requires PUC and the commission for the deaf, by rule, to provide that a distributor of devices or a provider of services will not receive more than full price of the device or service if certain action is taken. Makes conforming changes.

Amends Section 56.154, Utilities Code, to require the PUC to pay a telecommunications service provider who prevents a voucher for payment, not later than the 45th day after the PUC receives the voucher. Makes conforming changes.

SECTION 6.

Amends Section 56.155(a), Utilities Code, to make a conforming change.

SECTION 7.

Provides that the text of Sections 56.021, 56.110(a), 56.111, 56.151, 56.152, and 56.153, 56.154, and 56.155(a), Utilities Code, gives effect to changes made by Chapter 149, Acts of the 75th Legislature, Regular Session, 1997.