

House Bill 456 (AS PASSED HOUSE AND SENATE)

By: Representatives Buck of the 112th, Channell of the 77th, Parrish of the 102nd, and Brooks of the 47th

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 3 of Article 5 of Chapter 5 of Title 50 of the Official Code of Georgia
2 Annotated, the "Georgia Distance Learning and Telemedicine Act of 1992," so as to change
3 provisions relating to the use of funds available in the Universal Service Fund; to provide
4 that for a certain period of time such funds may be used for any lawful purpose that promotes
5 or supports enterprise information technology needs; to provide for related matters; to repeal
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 Part 3 of Article 5 of Chapter 5 of Title 50 of the Official Code of Georgia Annotated, the
9 "Georgia Distance Learning and Telemedicine Act of 1992," is amended by striking Code
10 Section 50-5-200, relating to the use of funds in Universal Service Fund not used for
11 qualifying hardship assistance filings, and inserting in lieu thereof a new Code Section
12 50-5-200 as follows:

13 "50-5-200.

14 (a) Except as further provided in ~~subsection~~ subsections (b) and (c) of this Code section,
15 all funds remaining in the Universal Service Fund as of March 20, 1992, which are not
16 used for qualifying hardship assistance filings shall be used solely for the purpose of
17 funding awards by the governing board and the other distance learning and telemedicine
18 purposes provided under this part. Qualifying hardship assistance filings are those hardship
19 assistance filings approved by the Public Service Commission pursuant to Public Service
20 Commission Docket No. 3921-U before March 20, 1992, which result in payments to the
21 successful applicant for a period not to exceed two years from the date of filing.

22 (b) For a period of three years after March 20, 1992, an amount not to exceed \$23 million
23 may be used from the Universal Service Fund for the purpose of offsetting transitional
24 expenses and costs associated with the 16 mile calling radius as permitted under subsection
25 (g) of Code Section 46-2-25.2. The Georgia Technology Authority, as sole administrator
26 of the Universal Service Fund, is authorized to make disbursements from the Universal

1 Service Fund for such purposes upon proper certification of same by the Public Service
2 Commission. Any portion of the \$23 million not so disbursed by the Georgia Technology
3 Authority for said purposes within three years after March 20, 1992, shall become available
4 solely for the purpose of funding awards by the governing board and the other distance
5 learning and telemedicine purposes provided for in this part.

6 (c) For a period of three years after July 1, 2003, funds available in the Universal Service
7 Fund may be used for any lawful purpose that promotes or supports enterprise information
8 technology needs, including purposes unrelated to the creation, operation, administration,
9 or maintenance of a distance learning and telemedicine network. The governing board
10 shall have the power and authority to authorize the sole administrator of the Universal
11 Service Fund to make withdrawals and expenditures for such purposes. Any funds not
12 disbursed within three years after July 1, 2003, shall become available solely for the
13 purpose of funding awards by the governing board and other distance learning and
14 telemedicine purposes provided for in this part."

15 **SECTION 2.**

16 All laws and parts of laws in conflict with this Act are repealed.