

House Bill 745

By: Representatives Lunsford of the 110th and Rogers of the 26th

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 1A of Article 2 of Chapter 5 of Title 46 of the Official Code of Georgia
2 Annotated, relating to the telephone system for the physically impaired, so as to permit
3 certain funds collected through the existing monthly maintenance surcharge for the provision
4 of a telephone system for the physically impaired to also be used to provide trauma care to
5 the citizens of this state; to provide for related matters; to repeal conflicting laws; and for
6 other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Part 1A of Article 2 of Chapter 5 of Title 46 of the Official Code of Georgia Annotated,
10 relating to the telephone system for the physically impaired, is amended by revising
11 subsection (c) of Code Section 46-5-30, relating to the establishment, administration, and
12 operation of a state-wide dual party relay service, as follows:

13 "(c) The commission shall require all local exchange telephone companies in this state,
14 except those operated by telephone membership corporations, to impose a monthly
15 maintenance surcharge on all residential and business local exchange access facilities. For
16 the purpose of this subsection, 'exchange access facility' means the access from a particular
17 telephone subscriber's premise to the telephone system of a local exchange telephone
18 company. 'Exchange access facility' includes local exchange company provided access
19 lines, private branch exchange trunks, and centrex network access registers, all as defined
20 by tariffs of telephone companies as approved by the commission. The amount of the
21 surcharge shall be determined by the commission based upon the amount of funding
22 necessary to accomplish the purposes of this Code section and provide the services on an
23 ongoing basis; however, in no case shall the amount exceed 20¢ per month. A maximum
24 of 5¢ of this monthly surcharge per access line shall be utilized for a telecommunications
25 equipment distribution program and a maximum of 1¢ of this monthly surcharge per access
26 line shall be utilized to fund an audible universal information access service. If the

1 projected cost of the operation of the relay service exceeds a monthly surcharge of 15¢ at
2 any time, funding for the telecommunications equipment distribution program and the
3 audible universal information access service will be reduced by the amount required to
4 fully fund the relay service, under the existing cap of 20¢ for the period of time necessary.
5 No additional fees other than the surcharge authorized by this subsection shall be imposed
6 on any user of such relay or information access service. The local exchange companies
7 shall collect the surcharge from their customers and transfer the moneys collected to a
8 special fund to be held separate from all other funds. The fund shall be used ~~solely~~ to
9 provide trauma care throughout the state and for the administration and operation of the
10 relay service, the information access service, and the telecommunications equipment
11 distribution program and shall not be imposed, collected, or expended for any other
12 purpose."

13 SECTION 2.

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