

**First Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 11-0037.01 Thomas Morris

SENATE BILL 11-002

SENATE SPONSORSHIP

Carroll, Mitchell, Tochtrop

HOUSE SPONSORSHIP

Kerr J., Miklosi

Senate Committees
Business, Labor and Technology

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE LOW-INCOME TELEPHONE ASSISTANCE PROGRAM.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Legislative Audit Committee. The "Emergency Telephone Access Act" (act) created the low-income telephone assistance program (LITAP), pursuant to which basic local exchange service providers charge a monthly fee, currently set by the public utilities commission (commission) at \$0.07, to their customers that is used to provide a \$6.50-per-month subsidy for basic local exchange telecommunications service to certain low-income individuals certified by the department of

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

human services (DHS) as qualified to receive financial assistance payments.

The bill makes a person eligible to receive low-income telephone assistance if the person is:

- ! A legal resident of Colorado;
- ! A current or prospective subscriber to basic local exchange service; and
- ! Certified by DHS to receive financial assistance payments under at least one of 6 listed assistance programs.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** 40-3.4-105 (1) and (3), Colorado Revised Statutes,
3 are amended to read:

4 **40-3.4-105. Low-income telephone assistance - eligibility.**

5 (1) ~~Individuals~~ AN INDIVIDUAL IS eligible for low-income telephone
6 assistance ~~shall be those persons who~~ IF THE PERSON:

7 (a) ~~Are~~ IS certified by the department of human services ~~as~~
8 ~~qualified~~ to receive financial assistance payments UNDER AT LEAST ONE
9 OF THE FOLLOWING PROGRAMS:

10 (I) AN OLD AGE PENSION AS SET FORTH IN SECTION 26-2-111 (2),
11 C.R.S.;

12 (II) AID TO THE NEEDY DISABLED AS SET FORTH IN SECTION
13 26-2-111 (4), C.R.S.;

14 (III) AID TO THE BLIND AS SET FORTH IN SECTION 26-2-111 (5),
15 C.R.S.;

16 (IV) SUPPLEMENTAL SECURITY INCOME BENEFITS UNDER THE
17 FEDERAL "SOCIAL SECURITY ACT", AS AMENDED, 42 U.S.C. SEC. 1601 ET
18 SEQ.;

19 (V) COLORADO WORKS ASSISTANCE AS SET FORTH IN SECTION
20 26-2-706, C.R.S; OR

1 (VI) LOW-INCOME HOME ENERGY ASSISTANCE BENEFITS UNDER
2 THE FEDERAL "ENERGY POLICY ACT OF 2005", AS AMENDED, 42 U.S.C.
3 SEC. 8621 ET SEQ.

4 (b) ~~Are~~ IS A current or prospective ~~subscribers~~ SUBSCRIBER to
5 basic local exchange service, as defined in section 40-15-102; AND

6 (c) ~~Are citizens~~ IS A CITIZEN or legal ~~residents~~ RESIDENT of the
7 United States and ~~residents~~ A RESIDENT of Colorado. and

8 (d) ~~Have a monthly household gross income at or below one~~
9 ~~hundred eighty-five percent of the federal poverty line.~~

10 (3) ~~In providing low-income telephone assistance, the department~~
11 ~~of human services shall give priority to households where one or more~~
12 ~~persons are recipients of:~~

13 (a) ~~An old age pension as set forth in section 26-2-111 (2), C.R.S.;~~

14 (b) ~~Aid to the needy disabled as set forth in section 26-2-111 (4),~~
15 ~~C.R.S.;~~

16 (c) ~~Aid to the blind as set forth in section 26-2-111 (5), C.R.S.;~~

17 (d) ~~Supplemental social security disability benefits under 42~~
18 ~~U.S.C. sec. 1396 et seq.; or~~

19 (e) ~~Colorado works assistance as set forth in sections 26-2-706~~
20 ~~and 26-2-707, C.R.S.~~

21 **SECTION 2. Act subject to petition - effective date.** This act
22 shall take effect at 12:01 a.m. on the day following the expiration of the
23 ninety-day period after final adjournment of the general assembly (August
24 10, 2011, if adjournment sine die is on May 11, 2011); except that, if a
25 referendum petition is filed pursuant to section 1 (3) of article V of the
26 state constitution against this act or an item, section, or part of this act
27 within such period, then the act, item, section, or part shall not take effect

1 unless approved by the people at the general election to be held in
2 November 2012 and shall take effect on the date of the official
3 declaration of the vote thereon by the governor.