

**Second Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 10-0862.01 Jery Payne

SENATE BILL 10-135

SENATE SPONSORSHIP

Spence,

HOUSE SPONSORSHIP

Pace,

Senate Committees
State, Veterans & Military Affairs

House Committees

A BILL FOR AN ACT

101 **CONCERNING AN EXEMPTION FROM THE 911 CHARGE FOR CUSTOMERS**
102 **RECEIVING SUBSIDIES UNDER FEDERAL PROGRAMS.**

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>.)

Currently, federal law creates the lifeline program, which provides subsidies to ensure universal telephone service to low-income customers. The bill exempts customers receiving free wireless telephone service under the lifeline program from paying a 911 charge.

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.*

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

2 **SECTION 1.** 29-11-102, Colorado Revised Statutes, is amended
3 BY THE ADDITION OF A NEW SUBSECTION to read:

4 **29-11-102. Imposition of charge - liability of user for charge**
5 **- collection - uncollected amounts - rules.** (8) A CUSTOMER RECEIVING
6 WIRELESS COMMUNICATIONS ACCESS AT NO COST TO THE SUBSCRIBER
7 PURSUANT TO THE LIFELINE TELECOMMUNICATIONS PROGRAM, 47 CFR
8 PART 54, SUBPART E, IS EXEMPT FROM ANY CHARGE IMPOSED UNDER THIS
9 ARTICLE FOR ONE WIRELESS COMMUNICATIONS ACCESS. THE PERSON
10 SHALL CERTIFY ANNUALLY TO THE WIRELESS COMMUNICATIONS ACCESS
11 PROVIDER THAT THE PERSON IS QUALIFIED FOR FREE ACCESS UNDER THE
12 LIFELINE TELECOMMUNICATIONS PROGRAM. IF NOT PROHIBITED BY
13 FEDERAL LAW, THE PROVIDER WILL PAY THE MINIMUM 911 SURCHARGE.

14 **SECTION 2. Act subject to petition - effective date.** This act
15 shall take effect at 12:01 a.m. on the day following the expiration of the
16 ninety-day period after final adjournment of the general assembly (August
17 11, 2010, if adjournment sine die is on May 12, 2010); except that, if a
18 referendum petition is filed pursuant to section 1 (3) of article V of the
19 state constitution against this act or an item, section, or part of this act
20 within such period, then the act, item, section, or part shall not take effect
21 unless approved by the people at the general election to be held in
22 November 2010 and shall take effect on the date of the official
23 declaration of the vote thereon by the governor.