

LEGISLATURE OF NEBRASKA  
ONE HUNDRED THIRD LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 990**

Introduced by Nordquist, 7.

Read first time January 21, 2014

Committee:

A BILL

1 FOR AN ACT relating to the Emergency Telephone Communications Systems  
2 Act; to amend section 86-437, Reissue Revised Statutes of  
3 Nebraska; to change provisions relating to service  
4 surcharges and records; to add a penalty for late payment  
5 by a service supplier; and to repeal the original  
6 section.

7 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 86-437, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3           86-437 (1) The amount of service surcharges collected in  
4 one calendar quarter by a service supplier shall be remitted to the  
5 governing body no later than sixty days after the close of that  
6 calendar quarter. Any service supplier which fails to remit full  
7 payment within sixty days after the close of the calendar quarter  
8 shall pay an additional penalty of ten percent of the full amount  
9 owed to the governing body. At the time of the remittance, the  
10 service supplier shall file a return for the remittance with the  
11 governing body in such form as the governing body and the service  
12 supplier agree upon. The service supplier shall maintain a record of  
13 the amount of service surcharges collected. The record shall be  
14 maintained for a period of ~~one year~~ five years after the date the  
15 amount was billed. A governing body may at its own expense require an  
16 annual audit of a service supplier's books and records concerning the  
17 collection and remittance of a service surcharge.

18           (2) On or before April 30 of each year, each service  
19 supplier shall report for the preceding calendar year to the Public  
20 Service Commission for each of its exchanges (a) whether 911 service  
21 or E-911 service is provided in that exchange, (b) the level of the  
22 service surcharge, (c) to which governing body the service surcharge  
23 is being submitted, and (d) the amount of revenue collected by the  
24 service surcharge.

25           (3) The commission shall compile and place the

1 information from such reports required in subsection (2) of this  
2 section into its annual telecommunications report to the Legislature,  
3 including the availability and location of 911 service and E-911  
4 service in the State of Nebraska.

5 (4) The commission shall adopt and promulgate rules and  
6 regulations necessary to carry out subsections (2) and (3) of this  
7 section.

8 (5) The commission may administratively fine pursuant to  
9 section 75-156 any person who violates the Emergency Telephone  
10 Communications Systems Act.

11 Sec. 2. Original section 86-437, Reissue Revised Statutes  
12 of Nebraska, is repealed.