

Filed for intro on 02/22/95
Senate Bill _____
By

House No. HB1648
By West, Jr.

AN ACT amend Tennessee Code Annotated, Title 7, Chapter 86,
relative to Emergency Communications

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated 7-86-103 is amended by deleting subsections (4), (7), (9) in their entirety and substituting instead the following:

(4) "Exchange access facilities" means all lines, provided by the service supplier for the provision of exchange telephone service or wireless telecommunications service;

(7) "Service supplier" means any person, corporation or entity providing exchange telephone service or wireless telecommunications service to any service user;

(9) "Tariff rate" means the flat monthly recurring rate for one party residence or business exchange access service within the base rate area of the principal exchange of the predominant telephone exchange service supplier within the geographical confines of the district, as stated in such telephone exchange service supplier's tariffs filed with the public service commission, but shall not include taxes, fees, licenses, end-user access charges or any similar charges whatsoever;

SECTION 2. Tennessee Code Annotated 7-86-103 is amended by adding the following new subsection (11) and by renumbering the subsequent sections accordingly:

(11) "Wireless telecommunications service" means any commercial mobile radio service, private mobile radio service, or other radio service licensed by the Federal Communications Commission to provide two-way voice or text radio service which provides interconnection to the public switched telephone network and/or access to a public safety answering point.

SECTION 3. Tennessee Code Annotated 7-86-108(a)(1) is amended by deleting the first word in its entirety and by substituting instead the words "For exchange telephone service, the"

SECTION 4. Tennessee Code Annotated 7-86-108 is amended by adding the following new sentence to the end of subsection (a)(1):

For wireless telecommunications service, the board of directors of the district may levy an emergency telephone service charge in an amount not to exceed the rate in effect in the district on December 31, 1994 for residence-classification service users.

SECTION 5. Tennessee Code Annotated 7-86-108(a)(2)(A) is amended by deleting the period at the end of the first sentence and by adding the words "for exchange telephone service."

SECTION 6. Tennessee Code Annotated 7-86-108(a)(2)(C) is amended by deleting the subsection in its entirety and by substituting instead the following:

(C) At any such election, the only question submitted to the voters shall be in the following form:

For the increase in emergency telephone service charges for exchange telephone service ...(here insert the amount(s)).

Against the increase in emergency telephone service charges for exchange telephone service....(here insert the amount(s)).

SECTION 7. Tennessee Code Annotated 7-86-108 is amended by redesignating subsection (2) as (2)(a) and by adding the following new subdivision (b):

(b) Every billed user shall be liable for any service charge imposed under this chapter until it has been paid to the service supplier. Such service charge shall be added to and shall be stated separately in the billing by the service supplier to its telephone subscribers within the geographical area of the district.

SECTION 8. Tennessee Code Annotated 7-86-110 is amended by adding the following new sentence to the end of subsection (d):

Public disclosure of information relating to moneys paid by individual service providers pursuant to this section shall be prohibited and shall be exempt from disclosure under the open records act.

SECTION 9. Tennessee Code Annotated 7-86-110 is amended by adding the following new subsection:

(f) Wireless radio service suppliers will not be liable for any form of damages or loss resulting directly or indirectly from the total or partial failure of any transmission to an emergency telephone service.

SECTION 10. Tennessee Code Annotated 7-86-111 is amended by deleting the section in its entirety and by substituting instead the following:

Billing and payment of charges. - The service supplier shall bill the district for the 911 service provided by the service supplier to the district at the applicable rate as set forth in the service supplier's tariff on file with the public service commission for such service, or as set forth in Section 7-86-108 (a)(1) for wireless telecommunications service, and the district shall bill the service supplier the charge therefor.

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