

LEGISLATIVE BILL 723

Approved by the Governor March 3, 2010

Introduced by Fischer, 43.

FOR AN ACT relating to the Telecommunications Relay System Act; to amend section 86-313, Reissue Revised Statutes of Nebraska; to change surcharge remittance requirements; and to repeal the original section.

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

Section 1. Section 86-313, Reissue Revised Statutes of Nebraska, is amended to read:

86-313 (1)(a) Each telephone company in Nebraska shall collect from each of the telephone subscribers a surcharge not to exceed twenty cents per month on each telephone number or functional equivalent in Nebraska, including wireless service as defined in section 86-456.01. Except for wireless service, the surcharge shall only be collected on the first one hundred telephone numbers or functional equivalents per subscriber. The companies shall add the surcharge to each subscriber's bill.

(b) The telephone companies are not liable for any surcharge not paid by a subscriber.

(2) Before April 1 of each year, the commission shall hold a public hearing to determine the amount of surcharge necessary to carry out the Telecommunications Relay System Act. After the hearing, the commission shall set the surcharge at the level necessary to fund the statewide telecommunications relay system and the specialized telecommunications equipment program for the following year plus a reasonable reserve. The surcharge shall become effective on July 1 following the change.

(3) In an emergency the commission may adjust the amount of the surcharge to become effective before such date but only after a public hearing for such purpose.

(4) ~~The Each telephone company shall remit the proceeds from the surcharge shall be remitted to the commission, monthly no later than thirty days after the end of the month in which they were collected together with forms provided by the commission.~~ The commission shall remit the funds to the State Treasurer for credit to the fund.

(5) The commission may require an audit of any company collecting the surcharge pursuant to the act.

(6) This section shall not apply to subscribers who have no access to relay service.

Sec. 2. Original section 86-313, Reissue Revised Statutes of Nebraska, is repealed.