

SENATE BILL NO. 563—COMMITTEE ON GOVERNMENT AFFAIRS

MARCH 26, 2001

Referred to Committee on Government Affairs

SUMMARY—Makes various changes relating to telecommunications. (BDR 20-1334)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to telecommunications; changing the place of billing of the customers from which a supplier of mobile telephone service may collect certain fees; removing the date for expiration of the provisions relating to the surcharge on telephone services for the enhancement of the telephone systems for reporting emergencies; changing provisions relating to a limitation on fees charged by local government for a public utility that sells or resells wireless service; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** NRS 244A.7643 is hereby amended to read as follows:
2 244A.7643 1. The board of county commissioners in a county whose
3 population is more than 100,000 but less than 400,000 may, by ordinance,
4 impose a surcharge on:
5 (a) Each access line or trunk line of each customer to the local exchange
6 of any telephone company providing those lines in the county; and
7 (b) The mobile telephone service provided to each customer of that
8 service ~~who resides~~ *whose place of primary use is* in the county,
9 for the enhancement of the telephone system for reporting an emergency in
10 the county.
11 2. The surcharge imposed by a board of county commissioners
12 pursuant to subsection 1:
13 (a) For each access line to the local exchange of a telephone company,
14 must not exceed 25 cents each month;
15 (b) For each trunk line to the local exchange of a telephone company,
16 must equal 10 times the amount of the surcharge imposed for each access
17 line to the local exchange of a telephone company pursuant to paragraph
18 (a); and
19 (c) For each telephone number assigned to a customer by a supplier of
20 mobile telephone service, must equal the amount of the surcharge imposed



1 for each access line to the local exchange of a telephone company pursuant
2 to paragraph (a).

3 3. A telephone company which provides access lines or trunk lines in a
4 county which imposes a surcharge pursuant to this section or a supplier
5 which provides mobile telephone service to a customer in such a county ~~it~~
6 shall collect the surcharge from its customers each month. Except as
7 otherwise provided in NRS 244A.7647, the telephone company or supplier
8 shall remit the surcharge it collects to the treasurer of the county where the
9 surcharge is imposed not later than the 15th day of the month after the
10 month it receives payment of the surcharge from its customers.

11 4. An ordinance adopted pursuant to subsection 1 may include a
12 schedule of penalties for the delinquent payment of amounts due from
13 telephone companies or suppliers pursuant to this section. Such a schedule:

14 (a) Must provide for a grace period of not less than 90 days after the
15 date on which the telephone company or supplier must otherwise remit the
16 surcharge to the county treasurer; and

17 (b) Must not provide for a penalty that exceeds 5 percent of the
18 cumulative amount of surcharges owed by a telephone company or a
19 supplier.

20 5. As used in this section ~~it~~, ~~“trunk”~~ :

21 (a) *“Place of primary use” has the meaning ascribed to it in 4 U.S.C.*
22 *§ 124(8), as that section existed on October 1, 2001.*

23 (b) *“Trunk line”* means a line which provides a channel between a
24 switchboard owned by a customer of a telephone company and the local
25 exchange of the telephone company.

26 **Sec. 2.** NRS 354.59883 is hereby amended to read as follows:

27 354.59883 A city or county shall not adopt an ordinance imposing or
28 increasing a fee:

29 1. If that ordinance would alter the terms of any existing franchise
30 agreement between the city or county and a public utility.

31 2. That applies to any public utility which does not derive revenue
32 from customers located within the jurisdiction of the city or county.

33 3. If, after the adoption of the ordinance:

34 (a) Any part of a fee to which the ordinance applies will be based upon
35 any revenue of a public utility other than its revenue from customers
36 located within the jurisdiction of the city or county.

37 (b) The total cumulative amount of all fees the city or county imposes
38 upon a public utility to which the ordinance applies will exceed:

39 (1) Except as otherwise provided in subparagraph (2), 5 percent of
40 the utility's gross revenue from customers located within the jurisdiction of
41 the city or county.

42 (2) For a public utility that sells or resells personal wireless services,
43 5 percent of its gross revenue from the first \$15 charged monthly for each
44 line of access for each of its customers ~~who has a billing address~~ *whose*
45 *place of primary use is* located within the jurisdiction of the city or county.

46 4. *As used in this section, “place of primary use” has the meaning*
47 *ascribed to it in 4 U.S.C. § 124(8), as that section existed on October 1,*
48 *2001.*



1 **Sec. 3.** Section 6 of chapter 427, Statutes of Nevada 1995, as last
2 amended by chapter 375, Statutes of Nevada 1999, at page 1686, is hereby
3 amended to read as follows:

4 Sec. 6. This act becomes effective on January 1, 1996 . ~~†-and~~
5 ~~expires by limitation on December 31, 2001.†~~

6 **Sec. 4.** Section 2 of chapter 375, Statutes of Nevada 1999, at page
7 1686, is hereby amended to read as follows:

8 Sec. 2. 1. This act becomes effective upon passage and
9 approval.

10 2. Notwithstanding the provisions of NRS 244A.7643, a board of
11 county commissioners that has imposed a surcharge pursuant to NRS
12 244A.7643 shall not impose such a surcharge on the mobile telephone
13 service provided to each customer of that service ~~†who resides†~~ *whose*
14 *place of primary use is* in the county on or after the date on which the
15 advisory committee established in that county pursuant to NRS
16 244A.7645 notifies the board of county commissioners that the
17 enhancement of the telephone system for reporting an emergency in
18 that county has been completed in such a manner that when a person
19 reports an emergency by placing a call on a mobile telephone, the:

20 (a) Identification of the person who pays for that mobile telephone
21 service; and

22 (b) Location of the antenna that receives and transmits that
23 call,

24 are transmitted to the location that has been designated to receive calls
25 that report an emergency and to route them to the appropriate
26 personnel for the provision of emergency services.

27 3. A board of county commissioners that has imposed a surcharge
28 pursuant to NRS 244A.7643 shall notify in a timely manner each
29 telephone company and supplier that collects such a surcharge to
30 cease collecting the surcharge ~~†:~~

31 ~~—(a) On each access line or trunk line of each customer to the local~~
32 ~~exchange of any telephone company providing those lines in the~~
33 ~~county on or after December 31, 2001.~~

34 ~~—(b) On†~~ *on* the mobile telephone service provided to each customer
35 of that service who resides in the county on or after the ~~†earlier of the~~
36 ~~following dates:~~

37 ~~—(1) December 31, 2001; or~~

38 ~~—(2) The†~~ date on which the advisory committee established in
39 that county pursuant to NRS 244A.7645 notifies the board of county
40 commissioners of that county that the enhancement of the telephone
41 system for reporting an emergency in that county has been completed
42 in the manner described in subsection 2.

43 4. *As used in this section, “place of primary use” has the*
44 *meaning ascribed to it in 4 U.S.C. § 124(8), as that section existed*
45 *on October 1, 2001.*

46 **Sec. 5.** Section 55 of chapter 530, Statutes of Nevada 1999, at page
47 2719, is hereby amended to read as follows:

48 Sec. 55. ~~††~~ This act becomes effective upon passage and
49 approval.



1 ~~{2. Section 39 of this act expires by limitation on December 31,~~
2 ~~2001.]~~



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