

1 A bill to be entitled
2 An act relating to Lifeline services; amending s.
3 364.10, F.S.; removing a provision requiring eligible
4 telecommunications carriers to provide a specified
5 number of days to allow a subscriber to demonstrate
6 continued eligibility after a termination letter is
7 sent; requiring subscribers to present proof of
8 continued eligibility upon request of specified
9 entities; removing provisions that specify
10 circumstances under which a telecommunications carrier
11 must credit a consumer's bill with the Lifeline
12 Assistance credit; removing provisions specifying
13 conditions under which certain telecommunications
14 carriers and commercial mobile radio service providers
15 may or must provide Lifeline services to specified
16 customers; removing the Department of Education and
17 the Office of Public Counsel from being entities with
18 whom state agencies must cooperate in developing
19 procedures to promote Lifeline participation;
20 providing that certain information is exempt as well
21 as confidential; revising procedures that state
22 agencies must use in determining a person's
23 eligibility for a Lifeline qualifying program;
24 amending s. 364.107, F.S.; authorizing certain
25 confidential and exempt information to be released to

26 | the Federal Communications Commission or designee;
 27 | providing an effective date.

28 |

29 | Be It Enacted by the Legislature of the State of Florida:

30 |

31 | Section 1. Paragraphs (e) and (f) of subsection (1) and
 32 | subsection (2) of section 364.10, Florida Statutes, are amended
 33 | to read:

34 | 364.10 Lifeline service.—

35 | (1)

36 | (e)1. An eligible telecommunications carrier must notify a
 37 | Lifeline subscriber of impending termination of Lifeline service
 38 | if the company has a reasonable basis for believing that the
 39 | subscriber no longer qualifies for the service. Notification of
 40 | pending termination must be in the form of a letter that is
 41 | separate from the subscriber's bill.

42 | ~~2. An eligible telecommunications carrier shall allow a~~
 43 | ~~subscriber 60 days following the date of the pending termination~~
 44 | ~~letter to demonstrate continued eligibility.~~ The subscriber must
 45 | present proof of continued eligibility upon request of the
 46 | eligible telecommunications carrier or the Federal
 47 | Communications Commission or its designee. An eligible
 48 | telecommunications carrier may transfer a subscriber off of
 49 | Lifeline service, pursuant to its tariff, if the subscriber
 50 | fails to demonstrate continued eligibility.

51 3. The commission shall establish procedures for such
52 notification and termination.

53 (f) An eligible telecommunications carrier shall timely
54 credit a consumer's bill with the Lifeline Assistance credit as
55 soon as practicable, but no later than 60 days following receipt
56 of notice of eligibility ~~from the Office of Public Counsel or~~
57 ~~proof of eligibility from the consumer.~~

58 ~~(2)(a) Each local exchange telecommunications company that~~
59 ~~has more than 1 million access lines and that is designated as~~
60 ~~an eligible telecommunications carrier shall, and any commercial~~
61 ~~mobile radio service provider designated as an eligible~~
62 ~~telecommunications carrier pursuant to 47 U.S.C. s. 214(c) may,~~
63 ~~upon filing a notice of election to do so with the commission,~~
64 ~~provide Lifeline service to any otherwise eligible customer or~~
65 ~~potential customer who meets an income eligibility test at 150~~
66 ~~percent or less of the federal poverty income guidelines for~~
67 ~~Lifeline customers. Such a test for eligibility must augment,~~
68 ~~rather than replace, the eligibility standards established by~~
69 ~~federal law and based on participation in certain low-income~~
70 ~~assistance programs. Each intrastate interexchange~~
71 ~~telecommunications company shall file or publish a schedule~~
72 ~~providing at a minimum the intrastate interexchange~~
73 ~~telecommunications company's current Lifeline benefits and~~
74 ~~exemptions to Lifeline customers who meet the income eligibility~~
75 ~~test set forth in this subsection. The Office of Public Counsel~~

76 | ~~shall certify and maintain claims submitted by a customer for~~
77 | ~~eligibility under the income test authorized by this subsection.~~

78 | ~~(a)-(b)~~ Each eligible telecommunications carrier subject to
79 | this subsection shall provide to each state and federal agency
80 | providing benefits to persons eligible for Lifeline service
81 | applications, brochures, pamphlets, or other materials that
82 | inform the persons of their eligibility for Lifeline, and each
83 | state agency providing the benefits shall furnish the materials
84 | to affected persons at the time they apply for benefits.

85 | ~~(b)-(e)~~ An eligible telecommunications carrier may not
86 | discontinue basic local telecommunications service to a
87 | subscriber who receives Lifeline service because of nonpayment
88 | by the subscriber of charges for nonbasic services billed by the
89 | telecommunications company, including long-distance service. A
90 | subscriber who receives Lifeline service shall pay all
91 | applicable basic local telecommunications service fees,
92 | including the subscriber line charge, E-911, telephone relay
93 | system charges, and applicable state and federal taxes.

94 | ~~(c)-(d)~~ An eligible telecommunications carrier may not
95 | refuse to connect, reconnect, or provide Lifeline service
96 | because of unpaid toll charges or nonbasic charges other than
97 | basic local telecommunications service.

98 | ~~(d)-(e)~~ An eligible telecommunications carrier may require
99 | that payment arrangements be made for outstanding debt
100 | associated with basic local telecommunications service,

101 subscriber line charges, E-911, telephone relay system charges,
 102 and applicable state and federal taxes.

103 ~~(e)-(f)~~ An eligible telecommunications carrier may block a
 104 Lifeline service subscriber's access to all long-distance
 105 service, except for toll-free numbers, and may block the ability
 106 to accept collect calls if ~~when~~ the subscriber owes an
 107 outstanding amount for long-distance service or amounts
 108 resulting from collect calls. However, the eligible
 109 telecommunications carrier may not impose a charge for blocking
 110 long-distance service. The eligible telecommunications carrier
 111 shall remove the block at the request of the subscriber without
 112 additional cost to the subscriber upon payment of the
 113 outstanding amount. An eligible telecommunications carrier may
 114 charge a service deposit before removing the block.

115 ~~(f)-(g)~~1. Each state agency that provides benefits to
 116 persons eligible for Lifeline service shall undertake, in
 117 cooperation with the Department of Children and Families, ~~the~~
 118 ~~Department of Education,~~ the commission, ~~the Office of Public~~
 119 ~~Counsel,~~ and ~~telecommunications companies designated~~ eligible
 120 telecommunications carriers providing Lifeline services, the
 121 development of procedures to promote Lifeline participation. The
 122 department and ~~departments,~~ the commission, ~~and the Office of~~
 123 ~~Public Counsel~~ may exchange sufficient information with the
 124 appropriate eligible telecommunications carriers or the Federal
 125 Communications Commission or its designee ~~and any commercial~~

HB 789

2022

126 ~~mobile radio service provider electing to provide Lifeline~~
127 ~~service under paragraph (a), such as a person's name, date of~~
128 ~~birth, service address, and telephone number, so that eligible~~
129 ~~customers can be enrolled the carriers can identify and enroll~~
130 ~~an eligible person in the Lifeline and Link-Up programs. The~~
131 ~~information remains confidential and exempt pursuant to s.~~
132 ~~364.107 and may only be used for purposes of determining~~
133 ~~eligibility and enrollment in the Lifeline and Link-Up programs.~~

134 2. If any state agency determines that a person is
135 eligible for a Lifeline qualifying program ~~Lifeline services,~~
136 the agency must coordinate with the Federal Communications
137 Commission or its designee to verify eligibility for the
138 Lifeline program ~~shall immediately forward the information to~~
139 ~~the commission to ensure that the person is automatically~~
140 ~~enrolled in the program with the appropriate eligible~~
141 ~~telecommunications carrier. The state agency shall include an~~
142 ~~option for an eligible customer to choose not to subscribe to~~
143 ~~the Lifeline service. The Public Service Commission and the~~
144 ~~Department of Children and Families shall adopt rules creating~~
145 ~~procedures to automatically enroll eligible customers in~~
146 ~~Lifeline service.~~

147 3. ~~The commission, the Department of Children and~~
148 ~~Families, the Office of Public Counsel, and each eligible~~
149 ~~telecommunications carrier offering Lifeline and Link-Up~~
150 ~~services shall convene a Lifeline Workgroup to discuss how the~~

HB 789

2022

151 ~~eligible subscriber information in subparagraph 1. will be~~
152 ~~shared, the obligations of each party with respect to the use of~~
153 ~~that information, and the procedures to be implemented to~~
154 ~~increase enrollment and verify eligibility in these programs.~~

155 (g)~~(h)~~ The commission shall report to the Governor, the
156 President of the Senate, and the Speaker of the House of
157 Representatives by December 31 each year on the number of
158 customers who are subscribing to Lifeline service and the
159 effectiveness of any procedures to promote participation.

160 (h)~~(i)~~ The commission may undertake appropriate measures
161 to inform low-income consumers of the availability of the
162 Lifeline and Link-Up programs.

163 (i)~~(j)~~ The commission shall adopt rules to administer this
164 section.

165 Section 2. Subsection (2) of section 364.107, Florida
166 Statutes, is amended to read:

167 364.107 Public records exemption; Lifeline Assistance Plan
168 participants.—

169 (2) Information made confidential and exempt under
170 subsection (1) may be released to the applicable
171 telecommunications carrier or the Federal Communications
172 Commission or its designee for purposes directly connected with
173 eligibility for, verification related to, or auditing of a
174 Lifeline Assistance Plan.

175 Section 3. This act shall take effect July 1, 2022.