

Regular Session, 2012

SENATE BILL NO. 630

BY SENATOR MORRELL

LOCAL AGENCIES. Authorizes a fixed rate for emergency telephone service charges in St. Bernard Parish. (8/1/12)

1 AN ACT

2 To enact R.S. 33:9106.3, relative to St. Bernard Parish; to authorize St. Bernard Parish 911
3 Communications District to levy a fixed rate for emergency telephone service
4 charges; to require voter approval of the fixed rate fee under certain conditions; to
5 provide that the fixed rate fee shall be uniformly applied to residential, commercial,
6 and cellular services; and to provide for related matters.

7 Notice of intention to introduce this Act has been published.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 33:9106.3 is hereby enacted to read as follows:

10 **§9106.3. Fixed rate service charge; St. Bernard Parish**

11 **A. Notwithstanding the provisions of R.S. 33:9106, the St. Bernard**
12 **Parish 911 Communications District may levy the emergency telephone service**
13 **charge authorized by that Section on a uniform flat fee schedule of fixed rates**
14 **not based on any tariff rate charged in the parish.**

15 **B. If the governing authority converts to such a rate schedule for its**
16 **service charge, such rates shall be equal to the applicable tariff-based rate at the**
17 **time of conversion unless a higher rate is approved by the voters of the district.**

1 **C. Such service charge shall not exceed one dollar per month for each**
 2 **residential line, two dollars and seven cents per month for each commercial line,**
 3 **and one dollar and twenty-six cents per month for each cellular or other**
 4 **wireless telecommunications service.**

5 **D. If such service charges are levied on a flat fee schedule of fixed rates,**
 6 **rates shall be uniform for each of the following classes of service: residential,**
 7 **commercial, cellular, commercial mobile radio service (CMRS), or other**
 8 **wireless telecommunications service.**

9 **E. For cellular or other non-fixed location wireless telecommunications**
 10 **service users, such service charge shall be assessed against each cellular or other**
 11 **wireless phone number for which the billing address is within the boundaries**
 12 **of the district. Notwithstanding the foregoing, the application of such service**
 13 **charge to any mobile telecommunications service, as defined in R.S.**
 14 **47:301(29)(p), shall apply only if the customer's place of primary use is located**
 15 **within the boundaries of the political subdivision levying such CMRS**
 16 **emergency telephone service charge. For purposes of this Subsection, the**
 17 **provisions of R.S. 47:301(29)(p) shall apply in the same manner and to the same**
 18 **extent as such provisions apply to the taxes levied pursuant to R.S. 47:302(C)**
 19 **and 331(C) on a mobile telecommunications service.**

The original instrument was prepared by Ann S. Brown. The following digest, which does not constitute a part of the legislative instrument, was prepared by Sherri H. Breaux.

DIGEST

Morrell (SB 630)

Present law (R.S. 33:9106(B)) authorizes the governing authority of any communication district to levy an emergency telephone service charge to fund the costs for 911 services.

Proposed law retains present law and further authorizes the governing authority of St. Bernard Parish 911 Communications District to develop a uniform flat fee fixed rate service charge for 911 services.

Proposed law provides that voter approval for the fixed rate fee is required if the amount of funds generated is greater than the amount collected under the tariff-based rate as provided in present law.

Proposed law provides that the total amount of the service charge shall be:

1. One dollar (\$1.00) per month for each residential line.
2. Two dollars and seven cents (\$2.07) per month for each commercial line.
3. One dollar and twenty-six cents (\$1.26) per month for each cellular or other wireless telecommunications service.

Proposed law provides that if such service charges are levied on a flat fee schedule of fixed rates, then rates shall be uniform for each of the following classes of service: residential, commercial, cellular, commercial mobile radio service (CMRS) or other wireless telecommunications service.

Proposed law provides that the service charge shall be assessed against each cellular or other wireless phone number for which the billing address is within the boundaries of the district.

Effective August 1, 2012.

(Adds R.S. 33:9106.3)

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill.

1. Makes technical change.