

1 ENGROSSED HOUSE  
2 BILL NO. 2502

By: Adkins of the House

3 and

4 Lamb of the Senate

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6  
7 An Act relating to telecommunications; amending 17  
8 O.S. 2001, Section 139.109, as amended by Section 1,  
9 Chapter 409, O.S.L. 2004 (17 O.S. Supp. 2007, Section  
10 139.109), which relates to the Oklahoma E911  
11 Emergency Service Fund, the Oklahoma  
12 Telecommunications Technology Training Fund, and  
13 Special Universal Services; deleting annual  
14 contribution requirements and Oklahoma E911 Emergency  
15 Service Fund maximum amount; stating purpose of the  
16 Fund; modifying uses of the Fund; changing funding  
17 preference date; clarifying qualifications; deleting  
18 certain application prohibition for certain local  
19 exchange telecommunications service providers;  
20 providing an effective date; and declaring an  
21 emergency.

22 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

23 SECTION 1. AMENDATORY 17 O.S. 2001, Section 139.109, as  
24 amended by Section 1, Chapter 409, O.S.L. 2004 (17 O.S. Supp. 2007,  
25 Section 139.109), is amended to read as follows:

26 Section 139.109 A. There is hereby created within the Oklahoma  
27 Corporation Commission the "Oklahoma E911 Emergency Service Fund".  
28 ~~Beginning September 1, 1997, each local exchange telecommunications~~  
29 ~~service provider shall annually contribute fifty cents (\$0.50) per~~

1 ~~retail local exchange access line to the Oklahoma E911 Emergency~~  
2 ~~Service Fund until the total amount contributed by all providers to~~  
3 ~~the Fund equals Five Million Dollars (\$5,000,000.00). The~~  
4 ~~contribution amount for each service provider shall be based upon~~  
5 ~~the number of retail local exchange access lines of that service~~  
6 ~~provider in service on July 1 of each applicable year~~ The purpose of  
7 the Fund shall be to fund the provisions of enhanced 911 emergency  
8 service to every citizen in Oklahoma through a direct appropriation.  
9 The Oklahoma E911 Emergency Service Fund shall be administered by  
10 the Oklahoma Corporation Commission ~~and~~. The Fund shall be used to  
11 defray the cost of purchasing and installing equipment for enhanced  
12 911 emergency systems across the state equipment purchases,  
13 installation or upgrades, and the cost of creating a map of the  
14 service area of a system which reflects accurate addresses.  
15 Preference for funding shall be given first to those systems  
16 established in areas of the state which do not have access to 911  
17 emergency service ~~before~~ as of July 1, 1997 2007, and second to  
18 areas of the state which do not have access to enhanced 911  
19 emergency services. Funding from the E911 Emergency Service Fund  
20 shall not be used for ongoing operating costs of any emergency  
21 telephone service system. To qualify for funding, the emergency  
22 telephone service system shall have been or be in the process of  
23 being approved by election as provided for in the Nine-One-One  
24 Emergency Number Act. ~~Local exchange telecommunications service~~

1 ~~providers serving fifteen percent (15%) or more of the access lines~~  
2 ~~in the state may not apply for recovery of the contributions made to~~  
3 ~~the E911 Emergency Service Fund from the Oklahoma Universal Service~~  
4 ~~Fund created in Section 139.106 of this title.~~ All monies in the  
5 Oklahoma E911 Emergency Service Fund shall be expended only for the  
6 purposes set forth in this subsection.

7       B. There is hereby created within the Oklahoma Department of  
8 Career and Technology Education the "Oklahoma Telecommunications  
9 Technology Training Fund". Beginning September 1, 1997, each local  
10 exchange telecommunications service provider shall annually  
11 contribute seventy-five cents (\$0.75) per retail local exchange  
12 access line to the Oklahoma Telecommunications Technology Training  
13 Fund until the total amount contributed by all providers to the Fund  
14 equals Seven Million Dollars (\$7,000,000.00). The contribution  
15 amount for each service provider shall be based upon the number of  
16 retail local exchange access lines of that service provider in  
17 service on July 1 of each applicable year. The Oklahoma  
18 Telecommunications Technology Training Fund shall be administered by  
19 the Oklahoma Department of Career and Technology Education working  
20 in conjunction with OneNet, and shall be used to provide statewide  
21 training of teachers and school administrators in the most effective  
22 use of telecommunications and distance learning technology for the  
23 enhancement of education throughout the state. Local exchange  
24 telecommunications service providers serving fifteen percent (15%)

1 or more of the access lines in the state may not apply for recovery  
2 of the contributions made to the Oklahoma Telecommunications  
3 Technology Training Fund from the Oklahoma Universal Service Fund  
4 created in Section 139.106 of this title. All monies in the  
5 Oklahoma Telecommunications Technology Training Fund shall be  
6 expended only for the purposes set forth in this subsection.

7 C. The following services are hereby declared to be Special  
8 Universal Services and such services shall be provided only after  
9 funding for the Oklahoma Universal Service Fund is implemented as  
10 set forth in Section 139.101 et seq. of this title:

11 1. Each not-for-profit hospital in the state shall, upon  
12 written request, receive one incoming, toll-free phone number and up  
13 to a total of five access lines, free of charge, to allow incoming,  
14 toll-free calls from any location within the geographic area served  
15 by the hospital;

16 2. Each not-for-profit hospital, county health department,  
17 city-county health department, and federally qualified health center  
18 in this state shall, upon written request, receive, free of charge,  
19 one telecommunications line or wireless connection sufficient for  
20 providing such telemedicine, clinical and health consultation  
21 services as the entity is equipped to provide. The  
22 telecommunications carrier shall be entitled to reimbursement from  
23 the Oklahoma Universal Service Fund for providing the line or  
24 connection. In no case, however, shall reimbursement from the fund

1 be made for an Internet subscriber fee or charges incurred as a  
2 result of services accessed via the Internet;

3 3. Each public school building wherein classrooms are contained  
4 and each public library in the state shall, upon written request,  
5 receive one incoming, toll-free phone number and up to a total of  
6 five access lines, free of charge, to allow incoming, toll-free  
7 calls from any location within the geographic area served by the  
8 school or the public library;

9 4. Each public school building wherein classrooms are contained  
10 and each public library in the state shall, upon written request,  
11 receive one access line, free of charge, with the ability to connect  
12 to an Internet service provider at 56 kbps, in the most economically  
13 efficient manner for the carrier, or an equivalent dollar credit to  
14 be applied by the public school or public library toward similar  
15 services provided by the same carrier, for the purpose of accessing  
16 the Internet. In no case shall the Oklahoma Universal Service Fund  
17 reimburse an entity for an Internet subscriber fee or charges  
18 incurred as a result of services accessed via the Internet; and

19 5. Each county seat in the state shall, upon written request of  
20 the board of county commissioners, receive one incoming, toll-free  
21 phone number and up to a total of five access lines, free of charge,  
22 to allow incoming, toll-free calls from any location within the  
23 geographic area served by the county seat.

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1 D. To the extent Special Universal Services are purchased from  
2 a telecommunications service provider by another carrier, the  
3 Special Universal Services are for the exclusive use of the not-for-  
4 profit hospital, county health department, city-county health  
5 department, federally qualified health center, public school, public  
6 library or county government. Under no circumstances shall the not-  
7 for-profit hospital, county health department, city-county health  
8 department, federally qualified health center, public school, public  
9 library or county government sell, repackage or share Special  
10 Universal Services with any other entity.

11 SECTION 2. This act shall become effective July 1, 2008.

12 SECTION 3. It being immediately necessary for the preservation  
13 of the public peace, health and safety, an emergency is hereby  
14 declared to exist, by reason whereof this act shall take effect and  
15 be in full force from and after its passage and approval.

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