

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 SENATE BILL 1340

By: Branan

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6 AS INTRODUCED

7 An Act relating to the Oklahoma E911 Emergency
8 Service Fund; amending 17 O.S. 2011, Section 139.109,
9 which relates to the Oklahoma E911 Emergency Service
10 Fund; requiring Corporation Commission to review
11 requests for certain electronic connections; and
12 declaring an emergency.

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

14 SECTION 1. AMENDATORY 17 O.S. 2011, Section 139.109, is
15 amended to read as follows:

16 Section 139.109. A. There is hereby created within the
17 Oklahoma Corporation Commission the "Oklahoma E911 Emergency Service
18 Fund". Beginning September 1, 1997, each local exchange
19 telecommunications service provider shall annually contribute fifty
20 cents (\$0.50) per retail local exchange access line to the Oklahoma
21 E911 Emergency Service Fund until the total amount contributed by
22 all providers to the Fund equals Five Million Dollars
23 (\$5,000,000.00). The contribution amount for each service provider
24 shall be based upon the number of retail local exchange access lines
of that service provider in service on July 1 of each applicable

1 year. The Oklahoma E911 Emergency Service Fund shall be
2 administered by the Oklahoma Corporation Commission and used to
3 defray the cost of purchasing and installing equipment for enhanced
4 911 emergency systems across the state. Preference for funding
5 shall be given first to those systems established in areas of the
6 state which do not have access to 911 emergency service before July
7 1, 1997, and second to areas of the state which do not have access
8 to enhanced 911 emergency services. Funding from the E911 Emergency
9 Service Fund shall not be used for ongoing operating costs of any
10 emergency telephone service system. To qualify for funding, the
11 emergency telephone service system shall have been or be in the
12 process of being approved as provided for in the Nine-One-One
13 Emergency Number Act. Local exchange telecommunications service
14 providers serving fifteen percent (15%) or more of the access lines
15 in the state may not apply for recovery of the contributions made to
16 the E911 Emergency Service Fund from the Oklahoma Universal Service
17 Fund created in Section 139.106 of this title. All monies in the
18 Oklahoma E911 Emergency Service Fund shall be expended only for the
19 purposes set forth in this subsection.

20 B. There is hereby created within the Oklahoma Department of
21 Career and Technology Education the "Oklahoma Telecommunications
22 Technology Training Fund". Beginning September 1, 1997, each local
23 exchange telecommunications service provider shall annually
24 contribute seventy-five cents (\$0.75) per retail local exchange

1 access line to the Oklahoma Telecommunications Technology Training
2 Fund until the total amount contributed by all providers to the Fund
3 equals Seven Million Dollars (\$7,000,000.00). The contribution
4 amount for each service provider shall be based upon the number of
5 retail local exchange access lines of that service provider in
6 service on July 1 of each applicable year. The Oklahoma
7 Telecommunications Technology Training Fund shall be administered by
8 the Oklahoma Department of Career and Technology Education working
9 in conjunction with OneNet, and shall be used to provide statewide
10 training of teachers and school administrators in the most effective
11 use of telecommunications and distance learning technology for the
12 enhancement of education throughout the state. Local exchange
13 telecommunications service providers serving fifteen percent (15%)
14 or more of the access lines in the state may not apply for recovery
15 of the contributions made to the Oklahoma Telecommunications
16 Technology Training Fund from the Oklahoma Universal Service Fund
17 created in Section 139.106 of this title. All monies in the
18 Oklahoma Telecommunications Technology Training Fund shall be
19 expended only for the purposes set forth in this subsection.

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

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

6 2. Each not-for-profit hospital, county health department,
7 city-county health department, and federally qualified health center
8 in this state shall, upon written request, receive, free of charge,
9 one telecommunications line or wireless connection sufficient for
10 providing such telemedicine, clinical and health consultation
11 services as the entity is equipped to provide. The
12 telecommunications carrier shall be entitled to reimbursement from
13 the Oklahoma Universal Service Fund for providing the line or
14 connection subject to Corporation Commission review. In no case,
15 however, shall reimbursement from the fund be made for an Internet
16 subscriber fee or charges incurred as a result of services accessed
17 via the Internet;

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

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1 4. Each public school building wherein classrooms are contained
2 and each public library in the state shall, upon written request,
3 receive one access line, free of charge, with the ability to connect
4 to an Internet service provider at 1.5Mbps, in the most economically
5 efficient manner for the carrier, or an equivalent dollar credit to
6 be applied by the public school or public library toward similar
7 services provided by the same carrier, for the purpose of accessing
8 the Internet. In no case shall the Oklahoma Universal Service Fund
9 reimburse an entity for an Internet subscriber fee or charges
10 incurred as a result of services accessed via the Internet; and

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

16 D. To the extent Special Universal Services are purchased from
17 a telecommunications service provider by another carrier, the
18 Special Universal Services are for the exclusive use of the not-for-
19 profit hospital, county health department, city-county health
20 department, federally qualified health center, public school, public
21 library or county government. Under no circumstances shall the not-
22 for-profit hospital, county health department, city-county health
23 department, federally qualified health center, public school, public

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1 library or county government sell, repackage or share Special
2 Universal Services with any other entity.

3 SECTION 2. It being immediately necessary for the preservation
4 of the public peace, health and safety, an emergency is hereby
5 declared to exist, by reason whereof this act shall take effect and
6 be in full force from and after its passage and approval.

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