

HOUSE COMMITTEE OF REFERENCE REPORT

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Chair of Committee

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Date

March 4, 2020

Committee on Business Affairs & Labor.

After consideration on the merits, the Committee recommends the following:

HB20-1293 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

- 1 Amend printed bill, page 3, line 7, strike "20-\_\_\_\_," and substitute
- 2 "20-1293,".
  
- 3 Page 4, line 11, strike "TELECOMMUNICATIONS SERVICE, SUCH AS" and
- 4 substitute "COMMUNICATIONS SERVICE INCLUDING".
  
- 5 Page 4, line 13, strike "SERVICE,".
  
- 6 Page 4, line 14, after "CALLS." insert "THE TERM DOES NOT INCLUDE
- 7 FACILITIES-BASED BROADBAND SERVICES.".
  
- 8 Page 4, line 20, strike "CHANNELS." and substitute "CHANNELS CAPABLE
- 9 OF MAKING SIMULTANEOUS CALLS.".
  
- 10 Page 4, line 22, strike "USING 911 OR ITS EQUIVALENT" and substitute "BY
- 11 DIALING 911 OR ADDRESSING THE ESINET".
  
- 12 Page 4, line 23, after "IMAGES," insert "AND".
  
- 13 Page 4, lines 23 and 24, strike "AND DATA COMMUNICATIONS,".
  
- 14 Page 5, line 2, strike "LOCATION OF" and substitute "TELEPHONE NUMBER
- 15 AND LOCATION OF THE CALLER. ALI INCLUDES".
  
- 16 Page 5, strike line 3.

1 Page 5, line 4, strike "INCLUDING".

2 Page 5, strike lines 9 through 12 and substitute:

3 "(7) "BASIC EMERGENCY SERVICE" MEANS THE AGGREGATION AND  
4 TRANSPORTATION OF A 911 CALL DIRECTLY TO A POINT OF  
5 INTERCONNECTION WITH A GOVERNING BODY OR PSAP, REGARDLESS OF  
6 THE TECHNOLOGY USED TO PROVIDE THE SERVICE. THE AGGREGATION OF  
7 CALLS MEANS THE COLLECTION OF 911 CALLS FROM ONE OR MORE  
8 ORIGINATING SERVICE PROVIDERS OR INTERMEDIARY AGGREGATION  
9 SERVICE PROVIDERS FOR THE PURPOSE OF SELECTIVELY ROUTING AND  
10 TRANSPORTING 911 CALLS DIRECTLY TO A POINT OF INTERCONNECTION  
11 WITH A GOVERNING BODY OR PSAP. THE OFFERING OR PROVIDING OF ALI  
12 SERVICE OR SELECTIVE ROUTING DIRECTLY TO A GOVERNING BODY OR  
13 PSAP BY ANY PERSON IS ALSO A BASIC EMERGENCY SERVICE. BASIC  
14 EMERGENCY SERVICE DOES NOT INCLUDE:

15 (a) THE PORTION OF A 911 CALL PROVIDED BY AN ORIGINATING  
16 SERVICE PROVIDER;

17 (b) THE SERVICES PROVIDED BY AN INTERMEDIARY AGGREGATION  
18 SERVICE PROVIDER;

19 (c) THE DELIVERY OF A 911 CALL FROM THE ORIGINATING SERVICE  
20 PROVIDER OR AN INTERMEDIARY AGGREGATION SERVICE PROVIDER TO A  
21 POINT OF INTERCONNECTION WITH THE BESP;

22 (d) THE DELIVERY OF A 911 CALL FROM THE POINT OF  
23 INTERCONNECTION BETWEEN THE BESP AND A PSAP TO THE PSAP  
24 FACILITY THAT RECEIVES AND PROCESSES THE 911 CALL; OR

25 (e) THE DELIVERY OF TEXT-TO-911 VIA INTERIM METHODS."

26 Page 5, line 14, strike "AUTHORIZED" and substitute "CERTIFIED".

27 Page 5, line 19, strike "OF" and substitute "WHERE THE RESPONSIBILITY OF  
28 A PORTION OF A NETWORK CHANGES FROM ONE PARTY TO ANOTHER."

29 Page 5, strike lines 20 and 21.

30 Page 6, line 8, after "CALLS" insert "BY THE PSAP".

31 Page 6, line 14, strike "BOARD OF COUNTY" and substitute "ORGANIZATION  
32 RESPONSIBLE FOR ESTABLISHING, COLLECTING, AND DISBURSING THE  
33 EMERGENCY TELEPHONE CHARGE IN A SPECIFIC GEOGRAPHIC AREA  
34 PURSUANT TO SECTIONS 29-11-102, 29-11-103, and 29-11-104."

- 1 Page 6, strike lines 15 through 22.
- 2 Page 7, strike lines 4 through 14.
- 3 Renumber succeeding subsections accordingly.
- 4 Page 7, line 16, strike "CALL." and substitute "CALL THROUGH THE PUBLIC  
5 SWITCHED NETWORK."
- 6 Page 7, line 20, strike "END-USE".
- 7 Page 7, strike lines 25 and 26 and substitute "PBX, AND HYBRID-KEY  
8 TELEPHONE SYSTEMS; AND".
- 9 Page 8, strike lines 26 and 27.
- 10 Page 9, strike lines 1 through 3.
- 11 Renumber succeeding subsections accordingly.
- 12 Page 10, lines 6 through 8, strike "SURCHARGE, THE PREPAID WIRELESS  
13 911 CHARGE, AND THE PREPAID WIRELESS TRS CHARGE." and substitute  
14 "SURCHARGE."
- 15 Page 11, line 10, strike "WILL BE" and substitute "IS".
- 16 Page 11, line 24, strike "THE DATE IT BECOMES EFFECTIVE." and substitute  
17 "AN EFFECTIVE DATE OF EITHER THE FOLLOWING FEBRUARY 1 OR THE  
18 FOLLOWING JUNE 1."
- 19 Page 13, after line 17 insert:  
  
20 "(5) THE EMERGENCY TELEPHONE CHARGE IS THE LIABILITY OF THE  
21 SERVICE USER AND NOT OF THE SERVICE SUPPLIER; EXCEPT THAT THE  
22 SERVICE SUPPLIER IS LIABLE TO REMIT ALL EMERGENCY SERVICE CHARGES  
23 THAT THE SERVICE SUPPLIER COLLECTS FROM SERVICE USERS."
- 24 Page 14, line 13, strike "A".
- 25 Page 14, strike lines 14 and 15 and substitute "THE 911 SURCHARGE IS  
26 THE LIABILITY OF THE SERVICE USER AND NOT OF THE SERVICE SUPPLIER;

1 EXCEPT THAT THE SERVICE SUPPLIER IS LIABLE TO REMIT ALL 911  
2 SURCHARGES THAT THE SERVICE SUPPLIER COLLECTS FROM SERVICE  
3 USERS."

4 Page 18, line 14, strike "if ANY OF THE FOLLOWING APPLY:" and substitute  
5 "if:".

6 Page 18, lines 17 and 18, strike "~~If sub-subparagraph (A) of this~~  
7 ~~subparagraph (H) does not apply, The~~" and substitute "If  
8 ~~sub-subparagraph (A) of this subparagraph (H)~~ SUBSECTION (2)(d)(II)(A)  
9 OF THIS SECTION does not apply, the".

10 Page 18, lines 20 and 21, strike "~~If sub-subparagraphs (A) and (B) of this~~  
11 ~~subparagraph (H) do not apply, The~~" and substitute "If sub-subparagraphs  
12 ~~(A) and (B) of this subparagraph (H)~~ SUBSECTIONS (2)(d)(II)(A) AND  
13 (2)(d)(II)(B) OF THIS SECTION do not apply, the".

14 Page 18, lines 24 and 25, strike "~~If sub-subparagraphs (A) to (C) of this~~  
15 ~~subparagraph (H) do not apply, The~~" and substitute "If sub-subparagraphs  
16 ~~(A) to (C) of this subparagraph (H)~~ SUBSECTIONS (2)(d)(II)(A) TO  
17 (2)(d)(II)(C) OF THIS SECTION do not apply, the".

18 Page 19, lines 2 and 3, strike "~~If sub-subparagraphs (A) to (D) of this~~  
19 ~~subparagraph (H) do not apply, The~~" and substitute "If sub-subparagraphs  
20 ~~(A) to (D) of this subparagraph (H)~~ SUBSECTIONS (2)(d)(II)(A) TO  
21 (2)(d)(II)(D) OF THIS SECTION do not apply, the".

22 Page 21, strike lines 20 through 25.

23 Page 21, line 26, strike "(b)" and substitute "(5)".

24 Page 22, line 14, strike "BILL." and substitute "BILL, UNLESS THE SERVICE  
25 SUPPLIER DOES NOT SEPARATELY LIST ANY FEES OR SURCHARGES AS LINE  
26 ITEMS."

27 Page 22, line 15, after "LIABLE" insert "ONLY".

28 Page 22, line 17, after "AND" insert "ONLY".

29 Page 22, line 17, after "SURCHARGE" insert "COLLECTED UNDER THIS PART  
30 1".

1 Page 30, line 26, strike "PUBLIC REPORTING OF" and substitute "MEMBERS  
2 OF THE PUBLIC TO REPORT".

3 Page 30, after line 27 insert:

4 "SECTION 11. In Colorado Revised Statutes, 39-21-113, add  
5 (25) as follows:

6 **39-21-113. Reports and returns - rule.** (25) NOTWITHSTANDING  
7 THE PROVISIONS OF THIS SECTION, THE EXECUTIVE DIRECTOR SHALL  
8 PROVIDE THE INFORMATION DISCLOSED IN ANY DOCUMENT, REPORT, OR  
9 RETURN FILED IN CONNECTION WITH THE PREPAID WIRELESS 911 CHARGE  
10 IMPOSED BY SECTION 29-11-102.5 TO THE PUBLIC UTILITIES COMMISSION  
11 CREATED IN SECTION 40-2-101 OR A GOVERNING BODY AS DEFINED IN  
12 SECTION 29-11-101(16). ANY INFORMATION PROVIDED TO THE PUBLIC  
13 UTILITIES COMMISSION OR GOVERNING BODY, PURSUANT TO THIS  
14 SUBSECTION (25) SHALL REMAIN CONFIDENTIAL, AND ALL AGENTS,  
15 CLERKS, AND EMPLOYEES OF THE COMMISSION OR GOVERNING BODY AND  
16 THE DEPARTMENT SHALL BE SUBJECT TO THE LIMITATIONS SET FORTH IN  
17 SUBSECTION (4) OF THIS SECTION AND THE PENALTIES CONTAINED IN  
18 SUBSECTION (6) OF THIS SECTION."

19 Strike pages 31 and 32.

20 Page 33, strike lines 1 through 25.

21 Renumber succeeding sections accordingly.

22 Page 34, line 4, strike "(24)" and substitute "(23)".

23 Page 34, line 11, strike "(24)" and substitute "(23)".

24 Page 36, line 4, strike "(24)" and substitute "(23)".

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