

HB4668



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB4668

Introduced 2/18/2020, by Rep. Kelly M. Burke

SYNOPSIS AS INTRODUCED:

35 ILCS 638/10

Amends the Mobile Telecommunications Sourcing Conformity Act. Makes changes to the definition of "charges for mobile telecommunications services" to conform to the Code of Federal Regulations (currently, the Code of Federal Regulations as in effect on June 1, 1999). Effective immediately.

LRB101 16498 HLH 65879 b

A BILL FOR

1 AN ACT concerning revenue.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Mobile Telecommunications Sourcing
5 Conformity Act is amended by changing Section 10 as follows:

6 (35 ILCS 638/10)

7 Sec. 10. Definitions. As used in this Act:

8 "Charges for mobile telecommunications services" means any
9 charge for, or associated with, the provision of commercial
10 mobile radio service, as defined in Section 20.3 of Title 47 of
11 the Code of Federal Regulations ~~as in effect on June 1, 1999,~~
12 or any charge for, or associated with, a service provided as an
13 adjunct to a commercial mobile radio service, that is billed to
14 the customer by or for the customer's home service provider
15 regardless of whether individual transmissions originate or
16 terminate within the licensed service area of the home service
17 provider.

18 "Customer" means (i) the person or entity that contracts
19 with the home service provider for mobile telecommunications
20 services or (ii) if the end user of mobile telecommunications
21 services is not the contracting party, the end user of the
22 mobile telecommunications services, but this clause (ii)
23 applies only for the purpose of determining the place of

1 primary use. "Customer" does not include (i) a reseller of
2 mobile telecommunications service or (ii) a serving carrier
3 under an arrangement to serve the customer outside the home
4 service provider's licensed service area.

5 "Designated database provider" means a corporation,
6 association, or other entity representing all the political
7 subdivisions of a State that is:

8 (i) responsible for providing an electronic database
9 prescribed in Section 25 if the State has not provided such
10 electronic database; and

11 (ii) approved by municipal and county associations or
12 leagues of the State whose responsibility it would
13 otherwise be to provide such database prescribed by
14 Sections 116 through 126 of Title 4 of the United States
15 Code.

16 "Enhanced zip code" means a United States postal zip code
17 of 9 or more digits.

18 "Home service provider" means the facilities-based carrier
19 or reseller with which the customer contracts for the provision
20 of mobile telecommunications services.

21 "Licensed service area" means the geographic area in which
22 the home service provider is authorized by law or contract to
23 provide commercial mobile radio service to the customer.

24 "Mobile telecommunications service" means commercial
25 mobile radio service, as defined in Section 20.3 of Title 47 of
26 the Code of Federal Regulations as in effect on June 1, 1999.

1 "Place of primary use" means the street address
2 representative of where the customer's use of the mobile
3 telecommunications service primarily occurs, which must be:

4 (i) the residential street address or the primary
5 business street address of the customer; and

6 (ii) within the licensed service area of the home
7 service provider.

8 "Prepaid telephone calling services" means the right to
9 purchase exclusively telecommunications services that must be
10 paid for in advance that enables the origination of calls using
11 an access number, authorization code, or both, whether manually
12 or electronically dialed, if the remaining amount of units of
13 service that have been prepaid is known by the provider of the
14 prepaid service on a continuous basis.

15 "Reseller" means a provider who purchases
16 telecommunications services from another telecommunications
17 service provider and then resells, uses as a component part of,
18 or integrates the purchased services into a mobile
19 telecommunications service. "Reseller" does not include a
20 serving carrier with which a home service provider arranges for
21 the services to its customers outside the home service
22 provider's licensed service area.

23 "Serving carrier" means a facilities-based carrier
24 providing mobile telecommunications service to a customer
25 outside a home service provider's or reseller's licensed
26 service area.

1 "Taxing jurisdiction" means any of the several states, the
2 District of Columbia, or any territory or possession of the
3 United States, any municipality, city, county, township,
4 parish, transportation district, or assessment jurisdiction,
5 or any other political subdivision within the territorial
6 limits of the United States with the authority to impose a tax,
7 charge, or fee.

8 (Source: P.A. 92-474, eff. 8-1-02.)

9 Section 99. Effective date. This Act takes effect upon
10 becoming law.