



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB5596

by Rep. Brandon W. Phelps

SYNOPSIS AS INTRODUCED:

220 ILCS 5/13-703

from Ch. 111 2/3, par. 13-703

Amends the Telecommunications Article of the Public Utilities Code. Provides that wireless carriers, nomadic interconnected voice over internet protocol (VoIP) service providers, and fixed or non-nomadic interconnected VoIP service providers shall participate in the Illinois Commerce Commission's program to provide telecommunications devices capable of servicing the needs of persons with a hearing or speech disability. Authorizes the Commission to establish a rate recovery mechanism for wireless carriers, nomadic VoIP service providers, and non-nomadic VoIP service providers. Deletes language that provides that an interconnected VoIP service shall not be considered an intrastate telecommunications service. Effective immediately.

LRB098 19993 RPS 55218 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning regulation.

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

4 Section 5. The Public Utilities Act is amended by changing
5 Section 13-703 as follows:

6 (220 ILCS 5/13-703) (from Ch. 111 2/3, par. 13-703)

7 (Section scheduled to be repealed on July 1, 2015)

8 Sec. 13-703. (a) The Commission shall design and implement
9 a program whereby each telecommunications carrier ~~providing~~
10 ~~local exchange service~~ shall provide a telecommunications
11 device capable of servicing the needs of those persons with a
12 hearing or speech disability together with a single party line,
13 at no charge additional to the basic exchange rate, to any
14 subscriber who is certified as having a hearing or speech
15 disability by a licensed physician, speech-language
16 pathologist, audiologist or a qualified State agency and to any
17 subscriber which is an organization serving the needs of those
18 persons with a hearing or speech disability as determined and
19 specified by the Commission pursuant to subsection (d).

20 (b) The Commission shall design and implement a program,
21 whereby each telecommunications carrier ~~providing local~~
22 ~~exchange service~~ shall provide a telecommunications relay
23 system, using third party intervention to connect those persons

1 having a hearing or speech disability with persons of normal
2 hearing by way of intercommunications devices and the telephone
3 system, making available reasonable access to all phases of
4 public telephone service to persons who have a hearing or
5 speech disability. In order to design a telecommunications
6 relay system which will meet the requirements of those persons
7 with a hearing or speech disability available at a reasonable
8 cost, the Commission shall initiate an investigation and
9 conduct public hearings to determine the most cost-effective
10 method of providing telecommunications relay service to those
11 persons who have a hearing or speech disability when using
12 telecommunications devices and therein solicit the advice,
13 counsel, and physical assistance of Statewide nonprofit
14 consumer organizations that serve persons with hearing or
15 speech disabilities in such hearings and during the development
16 and implementation of the system. The Commission shall phase in
17 this program, on a geographical basis, as soon as is
18 practicable, but no later than June 30, 1990.

19 (c) The Commission shall establish a rate recovery
20 mechanism, authorizing charges in an amount to be determined by
21 the Commission for each line of a subscriber to allow
22 telecommunications carriers ~~providing local exchange service~~
23 to recover costs as they are incurred under this Section.

24 (d) The Commission shall determine and specify those
25 organizations serving the needs of those persons having a
26 hearing or speech disability that shall receive a

1 telecommunications device and in which offices the equipment
2 shall be installed in the case of an organization having more
3 than one office. For the purposes of this Section,
4 "organizations serving the needs of those persons with hearing
5 or speech disabilities" means centers for independent living as
6 described in Section 12a of the Disabled Persons Rehabilitation
7 Act and not-for-profit organizations whose primary purpose is
8 serving the needs of those persons with hearing or speech
9 disabilities. The Commission shall direct the
10 telecommunications carriers subject to its jurisdiction and
11 this Section to comply with its determinations and
12 specifications in this regard.

13 (e) As used in this Section, the phrase "telecommunications
14 carrier ~~providing local exchange service~~" includes, without
15 otherwise limiting the meaning of the term, telecommunications
16 carriers which are purely mutual concerns, having no rates or
17 charges for services, but paying the operating expenses by
18 assessment upon the members of such a company and no other
19 person, wireless carriers, nomadic interconnected VoIP service
20 providers, and fixed or non-nomadic interconnected VoIP
21 service providers.

22 (f) (Blank). ~~Interconnected VoIP service providers in~~
23 ~~Illinois shall collect and remit assessments determined in~~
24 ~~accordance with this Section in a competitively neutral manner~~
25 ~~in the same manner as a telecommunications carrier providing~~
26 ~~local exchange service. Interconnected VoIP services shall not~~

1 ~~be considered an intrastate telecommunications service for the~~
2 ~~purposes of this Section in a manner inconsistent with federal~~
3 ~~law or Federal Communications Commission regulation.~~

4 (g) The provisions of this Section are severable under
5 Section 1.31 of the Statute on Statutes.

6 (Source: P.A. 96-927, eff. 6-15-10.)

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.