

# HOUSE BILL No. 4439

March 25, 2003, Introduced by Rep. Bradstreet and referred to the Committee on Energy and Technology.

A bill to amend 1986 PA 32, entitled "Emergency telephone service enabling act," by amending sections 408 and 717 (MCL 484.1408 and 484.1717), section 408 as added by 1999 PA 78 and section 717 as added by 1999 PA 79; and to repeal acts and parts of acts.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 408. (1) Until 2 years after the effective date of  
2 this section, a CMRS supplier or a reseller shall include a  
3 service charge of 55 cents per month for each CMRS connection  
4 that has a billing address in this state. Beginning 2 years  
5 after the effective date of this section, a CMRS supplier or a  
6 reseller shall include a service charge of 52 cents per month for  
7 each CMRS connection that has a billing address in this state.  
8 The CMRS supplier or reseller shall list the service charge as a  
9 separate line item on each bill. The service charge shall be

1 listed on the bill as the "emergency 9-1-1 charge".

2 (2) Except as provided in this section, the money collected  
3 as the service charge under subsection (1) shall be deposited in  
4 the CMRS emergency telephone fund created in section 407 not  
5 later than 30 days after the end of the quarter in which the  
6 service charge was collected.

7 (3) From each service charge billed under subsection (1),  
8 each CMRS supplier or reseller who billed the customer shall  
9 retain 1/2 of 1 cent to cover the costs of billing and collection  
10 as the only reimbursement from this charge for billing and  
11 collection costs.

12 (4) A CMRS supplier or reseller is not liable for an  
13 uncollected service charge billed under subsection (1) for which  
14 the CMRS supplier or reseller has billed the CMRS user. If only  
15 a partial payment of a bill is received by a CMRS supplier or  
16 reseller, the CMRS supplier or reseller shall credit the amount  
17 received as follows in priority order:

18 (a) For services provided.

19 (b) For the reimbursement under subsection (3).

20 (c) For the balance of the service charge.

21 (5) Amounts received under subsection (4)(c) shall be  
22 forwarded to the CMRS emergency telephone fund created in section  
23 407. Any uncollected portion of the service charge that is not  
24 received shall be billed on subsequent billings and, upon  
25 receipt, amounts in excess of the reimbursement under subsection  
26 (3) shall be forwarded to the CMRS emergency telephone fund  
27 created in section 407. The service charge paid by a CMRS user

1 is not subject to a state or local tax.

2 (6) A CMRS supplier or reseller shall implement the billing  
3 provisions of this section not later than 120 days after the  
4 effective date of this section.

5 **(7) This section is repealed effective July 1, 2004.**

6 Sec. 717. This act is repealed effective ~~December 31,~~  
7 ~~2006~~ **June 30, 2007.**

8 Enacting section 1. Enacting section 1 of 1999 PA 78 is  
9 repealed.