

**First Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO**

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 13-0824.01 Jery Payne x2157

SENATE BILL 13-194

SENATE SPONSORSHIP

Steadman,

HOUSE SPONSORSHIP

Gerou,

Senate Committees
Business, Labor, & Technology
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING A REPEAL OF A TELEPHONE ASSISTANCE PROGRAM FOR**
102 **LOW-INCOME INDIVIDUALS, AND, IN CONNECTION THEREWITH,**
103 **REDUCING AN APPROPRIATION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Currently a telephone assistance program gives a state subsidy to low-income individuals for local telephone services; it is funded by a monthly charge on telephone lines and eligible wireless handsets. The bill repeals the program and the monthly fee.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

SENATE
Amended 2nd Reading
March 12, 2013

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **repeal** article 3.4 of
3 title 40.

4 **SECTION 2.** In Colorado Revised Statutes, 40-3-106, **amend** (1)
5 (a) as follows:

6 **40-3-106. Advantages prohibited - graduated schedules -**
7 **consideration of household income and other factors - definitions.**

8 (1) (a) Except when operating under paragraph (c) or (d) of this
9 subsection (1), ~~or pursuant to article 3.4 of this title, no~~ A public utility,
10 as to rates, charges, service, or facilities, or in any other respect, shall NOT
11 make or grant any preference or advantage to ~~any~~ A corporation or person
12 or subject ~~any~~ A corporation or person to any prejudice or disadvantage.
13 ~~No~~ A public utility shall NOT establish or maintain any unreasonable
14 difference as to rates, charges, service, facilities, or ~~in any respect, either~~
15 between localities or ~~as between any~~ class of service. The commission ~~has~~
16 ~~the power to~~ MAY determine any question of fact arising under this
17 section.

18 **SECTION 3.** In Colorado Revised Statutes, 40-15-503.5, **amend**
19 (1) (c) as follows:

20 **40-15-503.5. Financial assurance.** (1) The commission may
21 require regulated telecommunications service providers to post a bond or
22 provide other security as a condition of obtaining a certificate,
23 registration, or operating authority, whichever instrument or instruments
24 apply. In setting the amount of the bond or security, the commission may
25 consider the following criteria:

26 (c) The history of the provider's statutory payment obligations,

1 including those to the Colorado high cost support mechanism, the
2 Colorado telephone low-income assistance program, the Colorado
3 telephone relay system, and the Colorado fixed utility fund.

4 **SECTION 4. Appropriation - adjustments to 2013 long bill.**

5 (1) For the implementation of this act, appropriations made in the annual
6 general appropriation act to the department of human services for the
7 fiscal year beginning July 1, 2013, for the cash funds appropriation from
8 the low-income telephone assistance fund created in section 40-3.4-108

9 (2) (a), Colorado Revised Statutes, for administration of the low-income
10 telephone assistance program in the special purpose welfare programs
11 subdivision of the office of self sufficiency, is decreased by \$118,272 and
12 1.5 FTE.

13 (2) For the implementation of this act, appropriations shown in the
14 annual general appropriation act to the department of regulatory agencies
15 for the fiscal year beginning July 1, 2013, for the informational cash
16 funds appropriation from the low-income telephone assistance fund
17 created in section 40-3.4-108 (2) (a), Colorado Revised Statutes, for the
18 public utilities commission, is decreased by \$725,548.

19 **SECTION 5. Wind up - satisfying obligations of low-income**

20 **telephone assistance fund.** Notwithstanding the repeal of article 3.4 of
21 title 40, the low-income telephone assistance fund continues until July 1,
22 2013, to satisfy remaining financial obligations of the fund. In winding
23 up the Colorado telephone low-income assistance program, the public
24 utilities commission may use the moneys in the fund to make
25 disbursement to the carriers, pay administrative expenses of the
26 department of human services, and offset costs of ending the program. On
27 July 1, 2013, the treasurer shall transfer the remainder of the moneys in

1 the fund to the general fund.

2 **SECTION 6. Safety clause.** The general assembly hereby finds,
3 determines, and declares that this act is necessary for the immediate
4 preservation of the public peace, health, and safety.