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HOUSE BILL NO. 1098

Offered January 9, 2002

Prefiled January 9, 2002

A *BILL to amend the Code of Virginia by adding in Chapter 15 of Title 56 an article numbered 5.2, consisting of sections numbered 56-484.7:4, 56-484.7:5, and 56-484.7:6, relating to telephonic reading services.*

Patron—Brink

Referred to Committee on Commerce and Labor

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 15 of Title 56 an article numbered 5.2, consisting of sections numbered 56-484.7:4, 56-484.7:5, and 56-484.7:6 as follows:

*Article 5.2**Telephonic Reading Services.**§ 56-484.7:4. Definitions.**As used in this article:**"Department" means the Department for the Blind and Visually Impaired.**"Operation" means those functions reasonably and directly necessary for the provision of telephonic reading services, including contract procurement and administration, and public education and information regarding such service.**"Telephone company" means a certificated local exchange telephone company that owns, manages, or controls any plant or equipment or any part of a plant or equipment within the Commonwealth for the conveyance of telephone messages, either directly or indirectly.**"Telephonic reading services" means audio information provided by telephone to the blind and visually impaired through a nationally available, multi-state service center to registered readers in all parts of the Commonwealth, including the interstate acquisition and distribution of daily newspapers and other information.**§ 56-484.7:5. Provision of service.**The Department, with the assistance of the Commission, shall be responsible for the provision and operation of telephonic reading services for each telephone line in each residential household within the Commonwealth in which resides at least one individual who is blind or visually impaired.**§ 56-484.7:6. Funding.*

A. All costs associated with the establishment and operation of telephonic reading services, including but not limited to personnel costs incurred by the Department for administering the service, shall be funded through an assessment made by the Commission to telephone companies and any money transferred from the Department as provided for in subsection C of this section. The Commission shall consider market share, revenue, number of customers, and any other factors the Commission considers relevant in fairly apportioning such costs among the companies; such assessments, when appropriate, may be zero. The assessments shall be based on projected costs and special interim assessments may be made if actual costs exceed projections. No assessment shall be made and no funds shall be expended to support any activities that are not reasonably and directly necessary for the operation of the telecommunications relay service as defined herein.

B. In order to defray the assessments referred to in subsection A of this section, the Commission shall authorize such rate surcharges as it deems reasonable. Each telephone company shall be allowed a commission, as determined by the Commission, not to exceed three percent of the surcharge, to cover the costs associated with the collection of the surcharge.

C. The Department shall transfer any funds received from federal agencies or other funding sources for purposes of operating telephonic reading services to the Commission for costs associated with operating telephonic reading services.

INTRODUCED

HB1098