



*Synopsis of Senate Committee Amendments**

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Legislative Service Commission

Sub. H.B. 361

125th General Assembly
(S. Public Utilities)

Removes the expansion of the tax credit taken by a telephone company against public utility excise tax liability (before December 31, 2004) and corporation franchise tax liability (after December 31, 2004) to fund the company's nonrecurring rates and charges for any updating or modernization of its wireline telephone network related to the provision of wireless 9-1-1.

Beginning one year following the imposition of the wireless 9-1-1 charge, authorizes a subdivision to use charge revenue to pay for personnel costs of one or more public safety answering points providing countywide wireless enhanced 9-1-1, provided the subdivision certifies to the Ohio 9-1-1 Coordinator that it has paid the equipment and training costs associated with the provision of wireless enhanced 9-1-1 and that it is providing countywide wireless enhanced 9-1-1.

Regarding immunity from civil liability provided under current law to a telephone company and other specified entities and individuals in the event of injuries, death, or loss to persons or property arising from their participation in a 9-1-1 system, establishes an exception to this immunity in the case of willful or wanton misconduct on the part of the company, entity, or individual.

Specifies that for purposes of prepaid wireless services, point of sale includes the purchasing of additional minutes by the subscriber along with any necessary activation of those minutes.

Authorizes a wireless service provider or reseller to collect the wireless 9-1-1 charge by dividing its total earned prepaid wireless telephone revenues from sales within Ohio during the month by fifty, multiplying the quotient by \$0.32, and remitting this amount.

Authorizes an individual to bring a civil action against a person who transmits a facsimile advertisement or causes it to be transmitted to the individual's residential

* This synopsis does not address amendments that may have been adopted on the Senate floor.

premises without the individual's prior written permission, and in that action recover \$1,000 for each violation.

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