

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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SENATE DRS55359-LM-119 (03/13)

Short Title: Prepaid Wireless/Service Charges.

(Public)

Sponsors: Senator Dannelly.

Referred to:

A BILL TO BE ENTITLED

AN ACT AMENDING THE SERVICE CHARGE FOR PREPAID WIRELESS SERVICE AND ALLOWING RETAIL VENDORS OF PREPAID WIRELESS SERVICE TO COLLECT THE SERVICE CHARGES AND REMIT THE AMOUNTS TO THE WIRELESS 911 BOARD.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 62A-21(13b) reads as rewritten:

"(13b) "Subscriber" means a person who subscribes to or purchases at retail a CMRS service or prepaid wireless service."

SECTION 2. G.S. 62A-23 reads as rewritten:

"§ 62A-23. Amount of service charge.

...

(b1) ~~The service charge shall also be imposed upon~~ for prepaid wireless telephone service subscribers shall be set at one percent (1%) of the retail purchase price of the prepaid wireless service. The Board may adjust the service charge for prepaid wireless service in the manner provided in subsection (b) of this section. Any person or entity selling prepaid wireless service at retail in this State, without regard to whether the prepaid wireless service is represented by a card or other item of tangible personal property transferred by the vendor to the purchaser, shall collect from the subscriber at the retail point of sale the service charge provided for in this section and shall remit the amounts collected to the Board. CMRS providers of prepaid wireless telephone service shall collect and remit to the Board the service charge under one of the following methods:

(1) ~~The CMRS provider shall collect, on a monthly basis, the service charge from each active prepaid wireless telephone service customer whose account balance is equal to or greater than the amount of the service charge; or~~

1 (2) ~~The CMRS provider shall divide the total earned prepaid wireless~~
2 ~~telephone service revenue received by the CMRS provider with respect~~
3 ~~to each active prepaid wireless telephone service customer in the State~~
4 ~~within the monthly 911 reporting period by fifty dollars (\$50.00) and~~
5 ~~multiply the quotient by the service charge amount.~~

6 ..."

7 **SECTION 3.** G.S. 62A-24 reads as rewritten:

8 "**§ 62A-24. Management of funds.**

9 ...

10 (c) Each CMRS provider and retail vendor of prepaid wireless service shall be
11 entitled to deduct a one percent (1%) administrative fee from the total service charges
12 collected.

13 (d) All service charges collected by the CMRS ~~providers,~~providers and retail
14 vendors of prepaid wireless service, less the administrative fee described in subsection
15 (c) of this section, are to be remitted to the Wireless Fund, not later than 30 days after
16 the end of the calendar month in which such service charges are collected."

17 **SECTION 4.** This act is effective when it becomes law.