

By Representative Haridopolos

1                                   A bill to be entitled  
2           An act relating to telecommunications  
3           companies; amending s. 364.02, F.S.; excluding  
4           interexchange carriers from the definition of  
5           telecommunications company; providing  
6           application; excluding directory assistance  
7           services provided by a telecommunications  
8           company from the definition of  
9           telecommunications company; providing an  
10          effective date.

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12 Be It Enacted by the Legislature of the State of Florida:

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14           Section 1. Subsection (12) of section 364.02, Florida  
15 Statutes, is amended to read:

16           364.02 Definitions.--As used in this chapter:

17           (12) "Telecommunications company" includes every  
18 corporation, partnership, and person and their lessees,  
19 trustees, or receivers appointed by any court whatsoever, and  
20 every political subdivision in the state, offering two-way  
21 telecommunications service to the public for hire within this  
22 state by the use of a telecommunications facility. The term  
23 "telecommunications company" does not include:

24           (a) An entity which provides a telecommunications  
25 facility exclusively to a certificated telecommunications  
26 company;

27           (b) An entity which provides a telecommunications  
28 facility exclusively to a company which is excluded from the  
29 definition of a telecommunications company under this  
30 subsection;

31           (c) A commercial mobile radio service provider;

- 1 (d) A facsimile transmission service;
- 2 (e) A private computer data network company not  
3 offering service to the public for hire; ~~or~~
- 4 (f) A cable television company providing cable service  
5 as defined in 47 U.S.C. s. 522;
- 6 (g) An interexchange carrier. For purposes of this  
7 paragraph, "interexchange carrier" means a company, other than  
8 a local exchange telecommunications company, owning facilities  
9 in this state which consist of network elements and switches  
10 or other communication transmission equipment used to carry  
11 voice, data, image, and video traffic between local calling  
12 areas. Notwithstanding the operation of this paragraph, each  
13 interexchange carrier shall continue to be liable for any  
14 taxes imposed pursuant to chapters 203 and 212 and any fees  
15 assessed pursuant to s. 364.025 and be subject to ss. 364.04  
16 and 364.501; or
- 17 (h) A directory assistance service provided by a  
18 telecommunications company.

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20 However, each commercial mobile radio service provider shall  
21 continue to be liable for any taxes imposed pursuant to  
22 chapters 203 and 212 and any fees assessed pursuant to s.  
23 364.025.

24 Section 2. This act shall take effect upon becoming a  
25 law.

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HOUSE SUMMARY

Excludes interexchange carriers or directory assistance services provided by a telecommunications company from the definition of telecommunications company but continues their liability for specified taxes and fees and application of specified provisions of law. Excludes directory assistance services provided by a telecommunications company from the definition of telecommunications company. See bill for details.