



837906

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/04/2010	.	
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The Committee on Communications, Energy, and Public Utilities (Richter) recommended the following:

Senate Amendment (with title amendment)

Between lines 295 and 296
insert:

d. If prepaid wireless telecommunications service is sold with one or more products or services for a single, nonitemized price, the percentage specified in sub-subparagraph a. shall apply to the entire nonitemized price unless the seller elects to apply such percentage to:

(I) The dollar amount of the prepaid wireless telecommunications service, if such dollar amount is disclosed to the customer; or



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13 (II) The portion of the price that is attributable to the
14 prepaid wireless telecommunications service, if the seller can
15 identify such portion by reasonable and verifiable standards
16 from the seller's books and records that are kept in the regular
17 course of business for other purposes, including, but not
18 limited to, nontax purposes. However, if a minimal amount of
19 prepaid wireless telecommunications service is sold along with a
20 prepaid wireless device for a single, nonitemized price, the
21 seller may elect not to apply the percentage specified in
22 subparagraph a. to such transaction. For purposes of this sub-
23 sub-subparagraph, an amount of service denominated as 10 minutes
24 or less or \$5 or less is minimal.

25
26 ===== T I T L E A M E N D M E N T =====

27 And the title is amended as follows:

28 Delete line 33

29 and insert:

30 providing for audit and appeal procedures; providing
31 for application of the fee to the entire nonitemized
32 price under certain circumstances; providing