

**FOR CONSIDERATION By** the Committee on Regulated Industries

580-01899-22

20227036pb

1                                   A bill to be entitled  
2       An act relating to Lifeline telecommunications  
3       service; amending s. 364.10, F.S.; requiring a  
4       Lifeline service subscriber to present proof of  
5       continued eligibility to certain entities upon  
6       request; deleting provisions authorizing certain local  
7       exchange telecommunications companies and commercial  
8       mobile radio service providers to provide Lifeline  
9       service to customers who meet certain income  
10      requirements; revising the entities required to  
11      cooperate in the development of procedures for  
12      promoting the Lifeline service; authorizing certain  
13      participant information to be exchanged with the  
14      Federal Communications Commission or its designee;  
15      revising requirements for state agencies to coordinate  
16      with the commission or its designee and verify  
17      participant eligibility in Lifeline qualifying  
18      programs; deleting provisions requiring certain  
19      entities to form a Lifeline Workgroup for sharing  
20      subscriber information; amending s. 364.107, F.S.;  
21      authorizing the release of certain confidential and  
22      exempt Lifeline Assistance Plan participant  
23      information to the commission or its designee for  
24      specified purposes; providing an effective date.

25  
26 Be It Enacted by the Legislature of the State of Florida:  
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28       Section 1. Paragraphs (e) and (f) of subsection (1) and  
29       subsection (2) of section 364.10, Florida Statutes, are amended

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30 to read:

31 364.10 Lifeline service.—

32 (1)

33 (e)1. An eligible telecommunications carrier must notify a  
34 Lifeline subscriber of impending termination of Lifeline service  
35 if the company has a reasonable basis for believing that the  
36 subscriber no longer qualifies for the service. Notification of  
37 pending termination must be in the form of a letter that is  
38 separate from the subscriber's bill.

39 ~~2. An eligible telecommunications carrier shall allow a~~  
40 ~~subscriber 60 days following the date of the pending termination~~  
41 ~~letter to demonstrate continued eligibility.~~ The subscriber must  
42 present proof of continued eligibility upon request of the  
43 eligible telecommunications carrier, or the Federal  
44 Communications Commission or its designee. An eligible  
45 telecommunications carrier may transfer a subscriber off of  
46 Lifeline service, pursuant to its tariff, if the subscriber  
47 fails to demonstrate continued eligibility.

48 3. The commission shall establish procedures for such  
49 notification and termination.

50 (f) An eligible telecommunications carrier shall timely  
51 credit a consumer's bill with the Lifeline Assistance credit as  
52 soon as practicable, but no later than 60 days following receipt  
53 of notice of eligibility ~~from the Office of Public Counsel or~~  
54 ~~proof of eligibility from the consumer.~~

55 (2) (a) ~~Each local exchange telecommunications company that~~  
56 ~~has more than 1 million access lines and that is designated as~~  
57 ~~an eligible telecommunications carrier shall, and any commercial~~  
58 ~~mobile radio service provider designated as an eligible~~

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59 ~~telecommunications carrier pursuant to 47 U.S.C. s. 214(e) may,~~  
60 ~~upon filing a notice of election to do so with the commission,~~  
61 ~~provide Lifeline service to any otherwise eligible customer or~~  
62 ~~potential customer who meets an income eligibility test at 150~~  
63 ~~percent or less of the federal poverty income guidelines for~~  
64 ~~Lifeline customers. Such a test for eligibility must augment,~~  
65 ~~rather than replace, the eligibility standards established by~~  
66 ~~federal law and based on participation in certain low-income~~  
67 ~~assistance programs. Each intrastate interexchange~~  
68 ~~telecommunications company shall file or publish a schedule~~  
69 ~~providing at a minimum the intrastate interexchange~~  
70 ~~telecommunications company's current Lifeline benefits and~~  
71 ~~exemptions to Lifeline customers who meet the income eligibility~~  
72 ~~test set forth in this subsection. The Office of Public Counsel~~  
73 ~~shall certify and maintain claims submitted by a customer for~~  
74 ~~eligibility under the income test authorized by this subsection.~~

75 ~~(b)~~ Each eligible telecommunications carrier ~~subject to~~  
76 ~~this subsection~~ shall provide to each state and federal agency  
77 providing benefits to persons eligible for Lifeline service  
78 applications, brochures, pamphlets, or other materials that  
79 inform the persons of their eligibility for Lifeline, and each  
80 state agency providing the benefits shall furnish the materials  
81 to affected persons at the time they apply for benefits.

82 ~~(b)(e)~~ An eligible telecommunications carrier may not  
83 discontinue basic local telecommunications service to a  
84 subscriber who receives Lifeline service because of nonpayment  
85 by the subscriber of charges for nonbasic services billed by the  
86 telecommunications company, including long-distance service. A  
87 subscriber who receives Lifeline service shall pay all

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88 applicable basic local telecommunications service fees,  
89 including the subscriber line charge, E-911, telephone relay  
90 system charges, and applicable state and federal taxes.

91 (c)~~(d)~~ An eligible telecommunications carrier may not  
92 refuse to connect, reconnect, or provide Lifeline service  
93 because of unpaid toll charges or nonbasic charges other than  
94 basic local telecommunications service.

95 (d)~~(e)~~ An eligible telecommunications carrier may require  
96 that payment arrangements be made for outstanding debt  
97 associated with basic local telecommunications service,  
98 subscriber line charges, E-911, telephone relay system charges,  
99 and applicable state and federal taxes.

100 (e)~~(f)~~ An eligible telecommunications carrier may block a  
101 Lifeline service subscriber's access to all long-distance  
102 service, except for toll-free numbers, and may block the ability  
103 to accept collect calls if ~~when~~ the subscriber owes an  
104 outstanding amount for long-distance service or amounts  
105 resulting from collect calls. However, the eligible  
106 telecommunications carrier may not impose a charge for blocking  
107 long-distance service. The eligible telecommunications carrier  
108 shall remove the block at the request of the subscriber without  
109 additional cost to the subscriber upon payment of the  
110 outstanding amount. An eligible telecommunications carrier may  
111 charge a service deposit before removing the block.

112 (f)1.~~(g)1.~~ Each state agency that provides benefits to  
113 persons eligible for Lifeline service shall undertake, in  
114 cooperation with the Department of Children and Families, ~~the~~  
115 ~~Department of Education,~~ the commission, ~~the Office of Public~~  
116 ~~Counsel,~~ and ~~telecommunications companies designated~~ eligible

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117 telecommunications carriers providing Lifeline services, the  
118 development of procedures to promote Lifeline participation. The  
119 department and departments, ~~the commission, and the Office of~~  
120 ~~Public Counsel~~ may exchange sufficient information with the  
121 appropriate eligible telecommunications carriers, or the Federal  
122 Communications Commission or its designee ~~and any commercial~~  
123 ~~mobile radio service provider electing to provide Lifeline~~  
124 ~~service under paragraph (a)~~, such as a person's name, date of  
125 birth, service address, and telephone number, so that eligible  
126 customers ~~the carriers~~ can be enrolled ~~identify and enroll an~~  
127 ~~eligible person~~ in the Lifeline and Link-Up programs. The  
128 information remains confidential and exempt pursuant to s.  
129 364.107 and may only be used for purposes of determining  
130 eligibility and enrollment in the Lifeline and Link-Up programs.

131 2. If any state agency determines that a person is eligible  
132 for a Lifeline qualifying program services, the agency must  
133 coordinate with the Federal Communications Commission or its  
134 designee to verify eligibility for the Lifeline service ~~shall~~  
135 ~~immediately forward the information to the commission to ensure~~  
136 ~~that the person is automatically enrolled in the program with~~  
137 ~~the appropriate eligible telecommunications carrier. The state~~  
138 ~~agency shall include an option for an eligible customer to~~  
139 ~~choose not to subscribe to the Lifeline service. The Public~~  
140 ~~Service Commission and the Department of Children and Families~~  
141 ~~shall adopt rules creating procedures to automatically enroll~~  
142 ~~eligible customers in Lifeline service.~~

143 3. ~~The commission, the Department of Children and Families,~~  
144 ~~the Office of Public Counsel, and each eligible~~  
145 ~~telecommunications carrier offering Lifeline and Link-Up~~

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146 ~~services shall convene a Lifeline Workgroup to discuss how the~~  
147 ~~eligible subscriber information in subparagraph 1. will be~~  
148 ~~shared, the obligations of each party with respect to the use of~~  
149 ~~that information, and the procedures to be implemented to~~  
150 ~~increase enrollment and verify eligibility in these programs.~~

151 (g) ~~(h)~~ The commission shall report to the Governor, the  
152 President of the Senate, and the Speaker of the House of  
153 Representatives by December 31 of each year on the number of  
154 customers who are subscribing to Lifeline service and the  
155 effectiveness of any procedures to promote participation.

156 (h) ~~(i)~~ The commission may undertake appropriate measures to  
157 inform low-income consumers of the availability of the Lifeline  
158 and Link-Up programs.

159 (i) ~~(j)~~ The commission shall adopt rules to administer this  
160 section.

161 Section 2. Subsection (2) of section 364.107, Florida  
162 Statutes, is amended to read:

163 364.107 Public records exemption; Lifeline Assistance Plan  
164 participants.—

165 (2) Information made confidential and exempt under  
166 subsection (1) may be released to the applicable  
167 telecommunications carrier, or to the Federal Communications  
168 Commission or its designee, for purposes directly connected with  
169 eligibility for, verification related to, or auditing of a  
170 Lifeline Assistance Plan.

171 Section 3. This act shall take effect July 1, 2022.