

**HOUSE . . . . . No. 1238**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***F. Jay Barrows***

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*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to establish a prepaid wireless E911 surcharge.

PETITION OF:

| NAME:                        | DISTRICT/ADDRESS:     |
|------------------------------|-----------------------|
| <i>F. Jay Barrows</i>        | <i>1st Bristol</i>    |
| <i>Chris Walsh</i>           | <i>6th Middlesex</i>  |
| <i>Kimberly N. Ferguson</i>  | <i>1st Worcester</i>  |
| <i>Joseph D. McKenna</i>     | <i>18th Worcester</i> |
| <i>Shawn Dooley</i>          | <i>9th Norfolk</i>    |
| <i>Steven S. Howitt</i>      | <i>4th Bristol</i>    |
| <i>James J. Dwyer</i>        | <i>30th Middlesex</i> |
| <i>James M. Cantwell</i>     | <i>4th Plymouth</i>   |
| <i>Brian M. Ashe</i>         | <i>2nd Hampden</i>    |
| <i>Bradley H. Jones, Jr.</i> | <i>20th Middlesex</i> |

**HOUSE . . . . . No. 1238**

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By Mr. Barrows of Mansfield, a petition (accompanied by bill, House, No. 1238) of F. Jay Barrows and others for legislation to establish a prepaid wireless E911 surcharge. Public Safety and Homeland Security.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninetieth General Court  
(2017-2018)**  
\_\_\_\_\_

An Act to establish a prepaid wireless E911 surcharge.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. Subsection (a) of section 18H of chapter 6A of the General Laws as  
2 appearing in the 2014 Official Edition, is hereby amended by striking out, in lines 25 to 27 the  
3 following sentence:—"For prepaid wireless service, the department shall promulgate regulations  
4 establishing an equitable and reasonable method for the remittance and collection of the  
5 surcharge or surcharge amounts for such service." and inserting in place thereof the following  
6 two sentences: "For prepaid wireless service, the seller of such service directly to an end user  
7 shall collect the surcharge from the end user at the point of sale on each retail sale within the  
8 Commonwealth, as defined in section 1 of Chapter 64H, and remit it to the department of  
9 revenue. The department of revenue shall promulgate regulations within 60 days of the effective  
10 date of the act for the reporting and remittance of the amounts so collected, as well as  
11 enforcement of such obligations. The amount of the prepaid wireless E911 charge that is  
12 collected by a seller from a consumer shall not be included in the base for measuring any tax,

13 fee, surcharge, or other charge that is imposed by the commonwealth or any intergovernmental  
14 agency.”

15 SECTION 2. Regulations promulgated under section 1 shall take effect on July 1, 2017.