

HOUSE No. 2030

The Commonwealth of Massachusetts

PRESENTED BY:

F. Jay Barrows

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: | DATE ADDED: |
|-----------------------------|-----------------------|------------------|
| <i>F. Jay Barrows</i> | <i>1st Bristol</i> | <i>1/17/2019</i> |
| <i>Kimberly N. Ferguson</i> | <i>1st Worcester</i> | <i>1/18/2019</i> |
| <i>Timothy R. Whelan</i> | <i>1st Barnstable</i> | <i>1/29/2019</i> |
| <i>Paul K. Frost</i> | <i>7th Worcester</i> | <i>1/30/2019</i> |
| <i>Mathew J. Muratore</i> | <i>1st Plymouth</i> | <i>1/31/2019</i> |
| <i>Michael J. Soter</i> | <i>8th Worcester</i> | <i>2/1/2019</i> |

HOUSE No. 2030

By Mr. Barrows of Mansfield, a petition (accompanied by bill, House, No. 2030) of F. Jay Barrows and others for legislation to establish a prepaid wireless E911 surcharge. Public Safety and Homeland Security.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1238 OF 2017-2018.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-First General Court
(2019-2020)

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 2016 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, 2019.