



State of Tennessee
PUBLIC CHAPTER NO. 61

SENATE BILL NO. 1180

By Norris, Gresham, Overbey, Tracy, Ketron, Bowling, Niceley, Green, Watson, Beavers, Tate, Burks, Southerland, Yager, Finney, Ford

Substituted for: House Bill No. 972

By McCormick, Mike Turner, McDaniel, Matlock, Keisling, Casada, Parkinson, Sargent, Harrison, Wirgau, Rich, Lundberg, Armstrong, Sexton, Kent Williams, Lollar, Dawn White, Lamberth, Roach, Eldridge, Mark White, Todd, Haynes, McManus, Curtis Johnson, Dennis, Coley, Camper, Cooper, Shipley, Powers, Tidwell, Towns, Shaw, Sanderson, Miller, John Deberry, Holt, Lois DeBerry, Johnnie Turner, Favors, Goins, Ryan Williams, Rogers

AN ACT to amend Tennessee Code Annotated, Title 65 and Title 67, relative to regulation of telecommunications by the Tennessee regulatory authority.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 65-5-107(a), is amended by deleting the first sentence of the subsection.

SECTION 2. Tennessee Code Annotated, Section 65-5-109(n)(13), is amended by deleting the subdivision in its entirety and substituting instead the following:

(13) The authority is exercising jurisdiction respecting extensions of facilities pursuant to § 65-4-114(2), except that no market-regulated carrier shall be subject to the regulatory authority jurisdiction in this subdivision (n)(13) in any wire center or geographic area the carrier designates by filing notice of such designation with the regulatory authority. Such notice shall be effective immediately upon filing and not subject to regulatory authority review.

SECTION 3. Tennessee Code Annotated, Section 65-5-109(n)(7), (9) and (12), are amended by deleting the subdivisions in their entirety and redesignating existing subdivisions accordingly.

SECTION 4. Tennessee Code Annotated, Section 65-5-109, is amended by adding the following new appropriately designated subsections:

() The regulatory authority is prohibited from creating any new programs mandating discounts on retail telecommunications services or equipment without providing reimbursement to carriers. Any such unfunded discount program mandated by rules or orders of the regulatory authority or public service commission that was in place as of the effective date of this act shall terminate sixty (60) days following the effective date of this act. Nothing in this subsection shall apply to existing regulatory authority programs providing services for the hearing impaired.

() The regulatory authority shall not impose any requirements relating to issuance or maintenance of a certificate pursuant to § 65-4-201 on any market-regulated entity or on any affiliate of a market-regulated entity.

SECTION 5. Tennessee Code Annotated, Section 67-6-222(c) and (d), are amended by deleting the subsections in their entirety.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.

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PASSED: March 7, 2013



RON RAMSEY
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 26th day of March 2013



BILL HASLAM, GOVERNOR