

Act No. 45
Public Acts of 1991
Approved by the Governor
June 26, 1991
Filed with the Secretary of State
June 27, 1992

**STATE OF MICHIGAN
86TH LEGISLATURE
REGULAR SESSION OF 1991**

Introduced by Senators Ehlers, Cisky, Schwarz, McManus and Pridnia

ENROLLED SENATE BILL No. 89

AN ACT to amend section 401 of Act No. 32 of the Public Acts of 1986, entitled as amended "An act to provide for the establishment of universal emergency telephone districts; to provide for the installation, operation, modification, and maintenance of universal emergency telephone systems; to provide for the imposition and collection of certain charges; to provide the powers and duties of certain state agencies, local units of government, public officers, telephone service suppliers, and others; to create an emergency telephone service committee; to provide remedies; to provide penalties; and to repeal certain parts of this act on specific dates," as amended by Act No. 36 of the Public Acts of 1989, being section 484.1401 of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. Section 401 of Act No. 32 of the Public Acts of 1986, as amended by Act No. 36 of the Public Acts of 1989, being section 484.1401 of the Michigan Compiled Laws, is amended to read as follows:

Sec. 401. (1) As soon as feasible after installation and commencement of operation of a 9-1-1 system in a 9-1-1 service district, the service supplier shall provide a billing and collection service for an emergency telephone charge from all service users of the service supplier within the 9-1-1 service district. The emergency telephone charge shall be uniform per each exchange access facility within the 9-1-1 service district. The portion of the emergency telephone charge that represents start-up costs, nonrecurring billing, installation, service, and equipment charges of the service supplier, including the costs of updating equipment necessary for conversion to 9-1-1 service, shall be amortized over a period not to exceed 10 years, as approved by the public service commission, and shall be billed and collected from all service users only until such amounts are fully recouped by the service supplier. Recurring costs and charges included in the emergency telephone charge shall continue to be billed to the service user. Subject to the limitation provided by subsection (2), the amount of the emergency telephone charge to be billed to the service user shall be computed by dividing the total emergency telephone charge by the number of exchange access facilities within the 9-1-1 service district.

(2) Except as provided in subsection (4), the amount of emergency telephone charge payable monthly by a service user for recurring costs and charges shall not exceed 2% of the highest monthly base rate charged by the service supplier for 1-party unlimited calling within the 9-1-1 service district. The amount of emergency telephone charge payable monthly by a service user for nonrecurring costs and charges shall not exceed 5% of the highest monthly base rate charged by the service supplier for 1-party unlimited calling within the 9-1-1 service district. The difference, if any, between the amount of the emergency telephone charge computed under subsection (1) and the maximum permitted under this subsection shall be paid by the county from funds available to the county or through cooperative arrangements with public agencies within the 9-1-1 service district.

(3) The emergency telephone charge shall be collected in accordance with the regular billings of the service supplier. The emergency telephone charge payable by service users pursuant to this act shall be added to and may be stated separately in the billings to service users.

(4) For a 9-1-1 service district created or enhanced after the effective date of the amendatory act that added this subsection, the amount of emergency telephone charge payable monthly by a service user for recurring costs and charges shall not exceed 4% of the highest monthly base rate charged by the service supplier for 1-party unlimited calling within the 9-1-1 service district.

This act is ordered to take immediate effect.

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Secretary of the Senate.

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Clerk of the House of Representatives.

Approved.....

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Governor.