

CHAPTER 716

S.B. No. 835

AN ACT

relating to the posting of telephone numbers and notices on pay telephones; providing a civil penalty.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Article XIII, Public Utility Regulatory Act (Article 1446c, Vernon's Texas Civil Statutes), is amended by adding Section 93A to read as follows:

Sec. 93A. (a) A pay telephone service provider may not display the telephone number of a pay telephone that cannot receive a telephone call.

(b) A pay telephone service provider shall place in a conspicuous location on each pay telephone that cannot receive telephone calls a notice stating in letters one-fourth inch high: "THIS TELEPHONE CANNOT RECEIVE TELEPHONE CALLS."

(c) A pay telephone service provider that violates a provision of this section or a rule or order adopted by the commission under this section is subject to a civil penalty as provided by Section 72 of this Act, unless such provider, within 14 days of receiving written notice of a violation, takes corrective action to comply with the provisions of this section.

(d) The commission has jurisdiction over all pay telephone service providers to the extent necessary to enforce this section regardless of whether a pay telephone service provider is a telecommunications utility regulated under this Act.

(e) The commission may adopt rules and establish procedures to enforce this section.

SECTION 2. Subsection (a), Section 72, Public Utility Regulatory Act (Article 1446c, Vernon's Texas Civil Statutes), is amended to read as follows:

(a) Any public utility, water supply or sewer service corporation, customer-owned pay telephone service provider for purposes of Section 93A of this Act, or affiliated interest that knowingly violates a provision of this Act, fails to perform a duty imposed on it, or fails, neglects, or refuses to obey an order, rule, regulation, direction, or requirement of the

commission or decree or judgment of a court, shall be subject to a civil penalty of not less than \$1,000 nor more than \$5,000 for each offense.

SECTION 3. This Act takes effect for all newly installed pay telephones on September 1, 1993. For all pay telephones in service prior to that date, this Act takes effect on January 1, 1994.

SECTION 4. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed the Senate on April 30, 1993: Yeas 28, Nays 0; the Senate concurred in House amendment on May 28, 1993, by a viva-voce vote; passed the House, with amendment, on May 21, 1993, by a non-record vote.

Approved June 16, 1993.

Effective as provided in § 3.