



www.lsc.ohio.gov

# OHIO LEGISLATIVE SERVICE COMMISSION

Wendy Zhan, Director

Office of Research  
and Drafting

Legislative Budget  
Office

R-135-1284

**To:** The Honorable Steve Wilson  
Ohio Senate

**From:** Rocky Hernandez, Attorney *RH*

**Date:** May 8, 2023

**Subject:** Current wireless 9-1-1 fees versus NG 9-1-1 fees regarding subscribers

## Discussion

You asked LSC for a chart to compare current law with the provisions of Sub. S.B. 50 of the 135<sup>th</sup> General Assembly (I\_135\_0422-4). Specifically, you asked to compare the wireless 9-1-1 fees in current law with the Next Generation (NG) 9-1-1 fees the bill creates. Below is a table with brief summaries of the \$0.25 wireless 9-1-1 charge in current law and the bill's provisions, and how the two differ.

If you have any questions, or wish to follow up, please give me a call at (614) 644-7788 or send me an email at [rocky.hernandez@lsc.ohio.gov](mailto:rocky.hernandez@lsc.ohio.gov).

## Statewide wireless 9-1-1 fees

9-1-1 Fees		
Current Law	Sub. S.B. 50 (I_135_0422-4)	Differences
<p>Imposes a \$0.25 wireless 9-1-1 charge on each wireless telephone number assigned to a <b>wireless service subscriber who has a billing address in Ohio</b> (<i>R.C. 128.42(A) (128.40(A), in the bill)</i>).</p>	<p>Imposes a \$0.64 NG 9-1-1 access fee on each <b>communications service</b> to which the following apply:</p> <ul style="list-style-type: none"> <li>▪ <b>The service is registered to a subscriber's service address within Ohio, or the subscriber's primary place of using the service is in Ohio;</b></li> <li>▪ The service is capable of initiating a direct connection to 9-1-1.</li> </ul> <p>A subscriber billed for one or more communications services is required to pay only one NG 9-1-1 access fee per month, unless they are a user of a multiline telephone system (MTS) or voice over internet protocol (VOIP) system. In those cases, the subscriber would pay a separate fee for each MTS line (capped at 200 fees per building) and a separate fee for each VOIP system voice channel.</p> <p><i>(R.C. 128.41(A) and 128.412.)</i></p>	<p>The current \$0.25 fee applies <b>only</b> on wireless telephone numbers of subscribers who have an Ohio billing address. The NG 9-1-1 fee is imposed on communications service even if it is primarily used in Ohio. This could include a larger number of people subject to the fee.</p> <p>The NG 9-1-1 access fee is billed to a subscriber only once per month regardless of how many services they are billed for. The current fee applies to each wireless telephone number of a subscriber. This could result in a subscriber, who is currently paying multiple wireless 9-1-1 fees per month, only paying one NG 9-1-1 fee should the bill become law.</p> <p>The bill also imposes the NG 9-1-1 access fee on MTS and VOIP systems, to which the current wireless 9-1-1 charge does not apply, with the effect that more transactions may be subject to the NG 9-1-1 access fee.</p>

9-1-1 Fees		
Current Law	Sub. S.B. 50 (I_135_0422-4)	Differences
<p>“Wireless service” means mobile service as defined in federal law and includes service provided by any wireless, two-way communications device, including a radio-telephone communications line used in cellular telephone service or personal communications service, a network radio access line, or any functional or competitive equivalent of such a radio-telephone communications or network radio access line <i>(R.C. 128.01(F)(1))</i>.</p>	<p>“Wireless service” is expanded to include “services for communicating voice, text, and data” in addition to service provided by any wireless, two-way communication device.</p> <p>“Communications service” includes wired and wireless telecommunications, VOIP, multiline telephone systems, nonvoice messaging devices, devices such as sensors that generate data-only messages such as photos or videos, and other similar services or devices. Not expressly clear if wireless service is wireless telecommunication, since the latter is not defined. Further, it is not clear if wired telecommunications includes wireline service, since wired telecommunications is not defined.</p> <p><i>(R.C. 128.01(EE), in the bill.)</i></p>	<p>The bill appears to cover a broader variety of telecommunication services and devices than covered by “wireless service” with the effect that more transactions may be subject to the NG 9-1-1 access fee than were subject to the wireless 9-1-1 fees.</p>