

CHAPTER 398

PUBLIC UTILITIES

SENATE BILL 03-303

BY SENATOR(S) Dyer;
also REPRESENTATIVE(S) Stengel and Harvey.

AN ACT

**CONCERNING AN EXCLUSION OF THE PROVISION OF TELECOMMUNICATIONS SERVICES FOR INMATES
IN PENAL INSTITUTIONS FROM THE JURISDICTION OF THE PUBLIC UTILITIES COMMISSION.**

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 40-15-102 (19.5) and (20.6), Colorado Revised Statutes, are amended to read:

40-15-102. Definitions. As used in this article, unless the context otherwise requires:

(19.5) "Nonoptional operator services" means operator services requiring an operator for individualized call processing or specialized or alternative billing, including, without limitation, credit card calls, calls billed to a third number, collect calls, and person-to-person calls. ~~or operator services to provide telephone service to inmates at penal institutions.~~

(20.6) "Optional operator services" means operator services not defined in subsection (19.5) or (20.3) of this section, including, without limitation, operator services provided in connection with conference calling, foreign language translation, OPERATOR SERVICES TO PROVIDE TELEPHONE SERVICE TO INMATES AT PENAL INSTITUTIONS, and voice messaging.

SECTION 2. 40-15-107, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

40-15-107. Powers of commission - inspection of books and documents - confidentiality of information obtained through audit. (3) THE COMMISSION SHALL HAVE NO AUTHORITY TO REGULATE TELEPHONE OR TELECOMMUNICATIONS

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

SERVICE FROM INMATES AT PENAL INSTITUTIONS.

SECTION 3. 40-1-103 (1) (b), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

40-1-103. Public utility defined. (1) (b) Nothing in articles 1 to 7 of this title shall be construed to apply to:

(VI) PROVIDERS OF TELEPHONE OR TELECOMMUNICATIONS SERVICE FROM INMATES AT PENAL INSTITUTIONS.

SECTION 4. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: June 5, 2003