

HOUSE BILL NO. 5263

December 03, 2019, Introduced by Rep. Miller and referred to the Committee on Communications and Technology.

A bill to amend 1991 PA 179, entitled
"Michigan telecommunications act,"
by amending section 316 (MCL 484.2316), as amended by 2011 PA 58.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 316. (1) ~~The~~**Except as provided under subsection (10),**
2 **the** commission shall require each provider of ~~residential~~-basic
3 local exchange service to offer certain ~~low-income~~**low-income**
4 customers the availability of basic local exchange service and
5 access service at reduced rates as described in subsections (2) and
6 (3).

1 (2) Except as provided under subsections (3) and (4), the rate
2 reductions for ~~low-income~~ **low-income** customers ~~shall~~ **must** be, at a
3 minimum, 20% of the basic local exchange rate or \$8.25, ~~which shall~~
4 ~~be,~~ inclusive of any federal contribution, whichever is greater.

5 (3) Except as provided under subsection (4), if the ~~low-income~~
6 **low-income** customer is 65 years of age or older, the rate reduction
7 ~~shall~~ **must** be, at a minimum, 25% of the basic local exchange rate
8 or \$12.35, ~~which shall be~~ inclusive of any federal contribution,
9 whichever is greater.

10 (4) The total reduction under subsection (2) or (3) ~~shall~~ **must**
11 not exceed 100% of all end-user common line charges and the basic
12 local exchange rate. The dollar amounts in subsections (2) and (3)
13 ~~shall~~ **must** be adjusted annually to reflect any increases or
14 decreases in the federal contribution.

15 (5) ~~To~~ **Until December 31, 2019, to** qualify for the reduced
16 rate under this section, ~~the person's~~ **an individual's** annual income
17 ~~shall~~ **must** not exceed 150% of the federal poverty guidelines
18 published annually in the ~~federal register~~ **Federal Register** by the
19 United States ~~department of health and human services~~ **Department of**
20 **Health and Human Services** and as approved by the state treasurer,
21 or the ~~person~~ **individual** must participate in 1 of the following
22 federal assistance programs:

- 23 (a) Medicaid.
24 (b) Food stamps.
25 (c) Supplemental security income.
26 (d) Federal public housing assistance.
27 (e) Low-income home energy assistance program.
28 (f) National school lunch program's free lunch program.
29 (g) Temporary assistance for needy families.

1 (6) Beginning January 1, 2020, the criteria to qualify for the
2 reduced rate under this section is the same criteria to qualify for
3 the federal Lifeline program as set forth in 47 CFR 54.409.

4 (7) Beginning January 1, 2020, if an individual does not meet
5 the qualifying criteria under subsection (6) and is no longer
6 qualified to receive the reduced rate under this section, he or she
7 may continue to receive the reduced rate if all of the following
8 apply:

9 (a) The individual received the reduced rate under this
10 section before January 1, 2020.

11 (b) The individual continues to meet the qualifying criteria
12 under subsection (5).

13 (c) If the provider requires annual recertification, the
14 individual recertifies with his or her provider annually.

15 (8) ~~(6) The~~ On request of a provider of basic local exchange
16 service, the commission shall establish a rate for each subscriber
17 line of ~~a that~~ provider to allow the provider to recover costs
18 incurred under this section. ~~The~~ A rate established by the
19 commission under this subsection may be assessed as a line item on
20 an end-user's bill.

21 (9) ~~(7) The~~ commission shall take necessary action to notify
22 the general public of the availability of lifeline services
23 including, but not limited to, public service announcements,
24 newspaper notices, and any other notice reasonably calculated to
25 reach those who may benefit from the services.

26 (10) Beginning August 30, 2022, if a provider of basic local
27 exchange service provides 90 days' written notice to the commission
28 and to all individuals receiving the reduced rate under this
29 section, the provider may, beginning November 30, 2022, opt out of

1 offering the reduced rate described under this section.

2 (11) If a provider opts out of offering the reduced rate
3 described under this section, the provider is exempt from complying
4 with a commission order requiring the provider to offer a reduced
5 rate to low-income customers.