

1 necessary or incident to a VoIP project and which are directly attributable  
2 thereto.

3 ~~(h) (i) "VoIP provider" means a provider of VoIP service intercon-~~  
4 ~~connected VoIP service, but does not include any telecommunications~~  
5 ~~carrier or local exchange carrier, as defined in K.S.A. 66-1,187,~~  
6 ~~and amendments thereto, which holds a certificate of public con-~~  
7 ~~venience and necessity issued by the state corporation commission.~~

[Delete]

8 ~~(i) (j) "VoIP service user" means any person who is provided VoIP~~  
9 ~~service a subscriber to interconnected VoIP service whose primary~~  
10 ~~service address is in Kansas.~~

11 New Sec. 3. The secretary shall administer the provisions of the VoIP  
12 enhanced 911 act. The secretary is hereby authorized to adopt rules and  
13 regulations necessary for effectuation of the provisions of this act.

14 New Sec. 4. (a) Subject to the provisions of section 10, and amend-  
15 ments thereto, effective July 1, 2006, there is hereby established a VoIP  
16 enhanced 911 grant fee in the amount of \$.25 per month per VoIP sub-  
17 scriber whose primary residence is in the state of Kansas service user.  
18 It shall be the duty of each VoIP provider to collect such fee from the  
19 VoIP service user and remit such fee to the secretary as provided by  
20 section 6, and amendments thereto.

Notwithstanding any other provisions of this act, no VoIP Service User shall be liable for, nor shall any VoIP provider be required to collect, the VoIP enhanced 911 grant fee on any Interconnected VoIP Service upon which an emergency telephone tax is paid pursuant to K.S.A. 12-5302, or upon which a wireless enhanced 911 grant fee is paid pursuant to K.S.A. 12-5324.

21 (b) The secretary shall remit to the state treasurer, in accordance with  
22 the provisions of K.S.A. 75-4215, and amendments thereto, any fees re-  
23 ceived pursuant to this section. Upon receipt of the remittance, the state  
24 treasurer shall deposit the entire amount in the state treasury and credit  
25 it to the wireless enhanced 911 grant fund.

26 New Sec. 5. (a) Effective July 1, 2006, there is hereby imposed a  
27 VoIP enhanced 911 local fee. Subject to the provisions of section 10, and  
28 amendments thereto, the amount of such fee shall be \$.25 per month per  
29 VoIP subscriber whose primary residence is in the state of Kansas service  
30 user.

31 (b) The proceeds of the VoIP enhanced 911 local fee, and any interest  
32 earned on revenue derived from such fee, shall be used only for the  
33 purposes provided in K.S.A. 2005 Supp. 12-5330, and amendments  
34 thereto.

Notwithstanding any other provisions of this act, no VoIP Service User shall be liable for, nor shall any VoIP provider be required to collect, the VoIP enhanced 911 local fee on any Interconnected VoIP Service upon which an emergency telephone tax is paid pursuant to K.S.A. 12-5302, or upon which a wireless enhanced 911 local fee is paid pursuant to K.S.A. 12-5330.

35 (c) Each PSAP shall submit to the secretary an annual report ac-  
36 counting for the money received by the PSAP from the VoIP enhanced  
37 911 local fee. Such report shall be submitted on a form provided by the  
38 secretary, which shall be consolidated with the report accounting for mon-  
39 eys received from the wireless enhanced 911 local fee required pursuant  
40 to K.S.A. 2005 Supp. 12-5330, and amendments thereto.

41 (d) If pursuant to K.S.A. 2005 Supp. 12-5330, and amendments  
42 thereto, a PSAP is required to pay to the secretary all moneys from the  
43 wireless enhanced 911 local fee which have been or are received by such