

FIRST ENGROSSMENT  
with Senate Amendments

Fifty-sixth  
Legislative Assembly  
of North Dakota

ENGROSSED HOUSE BILL NO. 1122

Introduced by

Natural Resources Committee

(At the request of the Department of Human Services)

1 A BILL for an Act to amend and reenact sections 54-44.8-01, 54-44.8-03, and 54-44.8-06 of the  
2 North Dakota Century Code, relating to administration of the program for telecommunications  
3 services for communications impaired persons.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Section 54-44.8-01 of the 1997 Supplement to the North  
6 Dakota Century Code is amended and reenacted as follows:

7 **54-44.8-01. Definitions.** As used in this chapter, unless the context otherwise  
8 requires:

- 9 1. "Administrator" means the individual employed by the division to oversee  
10 administration of the program.
- 11 2. "Commission" means the public service commission.
- 12 3. "Communications impaired" means the condition of an individual who is deaf,  
13 hearing impaired, ~~or~~ speech impaired, or mobility impaired so as to be unable to  
14 use a telephone readily purchased from a retail store.
- 15 4. "Disadvantaged" means residing in a household that has a median income not  
16 more than the applicable median income in this state, except the term includes  
17 residing in a household that has a median income not more than one hundred fifty  
18 percent of the applicable median income in this state if the resident is deaf.
- 19 5. "Division" means the information services division of the office of management and  
20 budget.
- 21 ~~5.~~ 6. "Local exchange company" means a telecommunications company that provides  
22 telephone access lines to members of the general public who are its customers.
- 23 ~~6.~~ 7. "Program" means the program established under section 54-44.8-03.

1       ~~7.~~ 8. "Radio communications access" means the radio access between a customer of a  
2           radio communications service provider and the provider.

3       ~~8.~~ 9. "Radio communications service provider" means a telecommunications company  
4           that provides radio communication service or cellular service to members of the  
5           general public who are its customers.

6       ~~9.~~ 10. "Specialized telecommunications equipment" means a device that, when  
7           connected to a telephone, enables or assists a person who is communications  
8           impaired to communicate with another person utilizing the telephone network. The  
9           term may include telecommunications devices for the deaf, amplifiers, and  
10          signaling devices.

11      ~~40.~~ 11. "Telecommunications relay service" means a statewide service through which a  
12          communications-impaired individual, using specialized telecommunications  
13          equipment, may send and receive messages to and from a  
14          noncommunications-impaired individual whose telephone is not equipped with  
15          specialized telecommunications equipment and through which a  
16          noncommunications-impaired individual, by using voice communication, may send  
17          and receive messages to and from a communications-impaired individual.

18      ~~44.~~ 12. "Telephone access line" means the facilities between a serving central office and  
19          the customer of a local exchange company which are required to provide access to  
20          the local and toll network.

21           **SECTION 2. AMENDMENT.** Section 54-44.8-03 of the 1997 Supplement to the North  
22      Dakota Century Code is amended and reenacted as follows:

23           **54-44.8-03. Program established - Purpose.**

24           1.    The division shall establish and administer a program to provide  
25           telecommunications relay service to persons who are communications impaired.

26           2.    The program shall provide a telecommunications relay service to allow persons  
27           who are communications impaired to communicate via the telecommunications  
28           network with noncommunications-impaired persons.

29           3.    The ~~vocational-rehabilitation division of the~~ department of human services shall  
30           furnish specialized telecommunications equipment to meet the needs of individuals  
31           who are communications impaired and who might be otherwise disadvantaged in

1           their ability to obtain such equipment. The ~~vocational rehabilitation division~~  
2           department shall determine eligibility and may provide the specialized  
3           telecommunications equipment to individuals determined eligible within the limits of  
4           funding made available to the ~~vocational rehabilitation division~~ department through  
5           gifts and grants received under section 54-44.8-06 and from funding made  
6           available by the information services division from the surcharge collected  
7           pursuant to section 54-44.8-08, which are hereby appropriated.

8           **SECTION 3. AMENDMENT.** Section 54-44.8-06 of the 1997 Supplement to the North  
9           Dakota Century Code is amended and reenacted as follows:

10           **54-44.8-06. Gifts and grants.** The ~~vocational rehabilitation division~~ department of  
11           human services may accept contributions and gifts and may apply for and accept grants, in  
12           money or otherwise, to the program. Monetary contributions, gifts, and grants must be  
13           deposited in the state treasury to be credited to the department of human services operating  
14           account.