

Introduced by

Legislative Council

(Information Technology Committee)

1 A BILL for an Act to provide for use of school district and higher education videoconferencing  
2 facilities and services; and to amend and reenact section 49-21-01.1 of the North Dakota  
3 Century Code, relating to exceptions from the definition of telecommunications service.

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

5 **SECTION 1. AMENDMENT.** Section 49-21-01.1 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **49-21-01.1. Inapplicability of provisions of chapter.**

8 1. Telecommunications service does not include and the provisions of this title do not  
9 apply to:

10 ~~4.~~ a. The one-way transmission of radio or television signals for broadcast  
11 purposes, including the one-way transmission of video programming or other  
12 programming service by a cable system as well as subscriber interaction, if  
13 any, which is required for the selection of such video programming or other  
14 programming service.

15 ~~2.~~ b. A hospital, hotel, motel, or similar place of temporary accommodation owning  
16 or operating message switching or billing equipment solely for the purpose of  
17 reselling telecommunications services to its patients or guests.

18 ~~3.~~ c. Telegraph service.

19 ~~4.~~ d. Except as provided in section 49-21-01.5, home, business, and coinless or  
20 coin-operated public or semipublic telephone terminal equipment and the use  
21 of such equipment.

22 ~~5.~~ e. The lease of telecommunications equipment by a telecommunications  
23 company from a person whose business is the leasing or sale of such  
24 equipment.



1                   on the use of institution telecommunications infrastructure to avoid service  
2                   interruptions or increased maintenance or administrative burdens.

3                   **SECTION 2. Telecommunications - Use of videoconferencing facilities and**  
4 **associated services.** Notwithstanding any other provision of law, a school district or an  
5 institution of higher education may allow, for a fee, any person to use its videoconferencing site  
6 facilities and associated network services if a private provider is unavailable and the access  
7 does not inhibit future private provider service. Any educational or governmental user must be  
8 given priority in the use of the facilities and associated network services.