

HB4066



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB4066

Introduced 5/23/2025, by Rep. Angelica Guerrero-Cuellar

SYNOPSIS AS INTRODUCED:

50 ILCS 750/20

Amends the Emergency Telephone System Act. Provides that, beginning January 1, 2026, the statewide surcharge shall be \$2.50 per connection.

LRB104 13670 RTM 26332 b

A BILL FOR

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Emergency Telephone System Act is amended
5 by changing Section 20 as follows:

6 (50 ILCS 750/20)

7 (Section scheduled to be repealed on December 31, 2025)

8 Sec. 20. Statewide surcharge.

9 (a) On and after January 1, 2016, and except with respect
10 to those customers who are subject to surcharges as provided
11 in Sections 15.3 and 15.3a of this Act, a monthly surcharge
12 shall be imposed on all customers of telecommunications
13 carriers and wireless carriers as follows:

14 (1) Each telecommunications carrier shall impose a
15 monthly surcharge per network connection; provided,
16 however, the monthly surcharge shall not apply to a
17 network connection provided for use with pay telephone
18 services. Where multiple voice grade communications
19 channels are connected between the subscriber's premises
20 and a public switched network through private branch
21 exchange (PBX), Centrex type service, or other multiple
22 voice grade communication channels facility, there shall
23 be imposed 5 such surcharges per network connection for

1 both regular service and advanced service provisioned
2 trunk lines. Until December 31, 2017, the surcharge shall
3 be \$0.87 per network connection. Beginning and on and
4 ~~after~~ January 1, 2018 and until January 1, 2026, the
5 surcharge shall be \$1.50 per network connection. Beginning
6 January 1, 2026, the surcharge shall be \$2.50 per network
7 connection.

8 (2) Each wireless carrier shall impose and collect a
9 monthly surcharge per CMRS connection that either has a
10 telephone number within an area code assigned to Illinois
11 by the North American Numbering Plan Administrator or has
12 a billing address in this State. Until December 31, 2017,
13 the surcharge shall be \$0.87 per connection. Beginning and
14 ~~on and after~~ January 1, 2018 and until January 1, 2026, the
15 surcharge shall be \$1.50 per connection. Beginning January
16 1, 2026, the surcharge shall be \$2.50 per connection.

17 (b) State and local taxes shall not apply to the
18 surcharges imposed under this Section.

19 (c) The surcharges imposed by this Section shall be stated
20 as a separately stated item on subscriber bills.

21 (d) The telecommunications carrier collecting the
22 surcharge may deduct and retain 1.74% of the gross amount of
23 surcharge collected to reimburse the telecommunications
24 carrier for the expense of accounting and collecting the
25 surcharge. On and after July 1, 2022, the wireless carrier
26 collecting a surcharge under this Section may deduct and

1 retain 1.74% of the gross amount of the surcharge collected to
2 reimburse the wireless carrier for the expense of accounting
3 and collecting the surcharge.

4 (d-5) Notwithstanding the provisions of subsection (d) of
5 this Section, an amount not greater than 2.5% may be deducted
6 and retained if the telecommunications or wireless carrier can
7 support, through documentation, expenses that exceed the 1.74%
8 allowed. The documentation shall be submitted to the Illinois
9 State Police and input obtained from the Statewide 9-1-1
10 Advisory Board prior to approval of the deduction.

11 (e) Surcharges imposed under this Section shall be
12 collected by the carriers and shall be remitted to the
13 Illinois State Police, either by check or electronic funds
14 transfer, by the end of the next calendar month after the
15 calendar month in which it was collected for deposit into the
16 Statewide 9-1-1 Fund. Carriers are not required to remit
17 surcharge moneys that are billed to subscribers but not yet
18 collected.

19 The first remittance by wireless carriers shall include
20 the number of subscribers by zip code, and the 9-digit zip code
21 if currently being used or later implemented by the carrier,
22 that shall be the means by which the Illinois State Police
23 shall determine distributions from the Statewide 9-1-1 Fund.
24 This information shall be updated at least once each year. Any
25 carrier that fails to provide the zip code information
26 required under this subsection (e) shall be subject to the

1 penalty set forth in subsection (g) of this Section.

2 (f) If, within 8 calendar days after it is due under
3 subsection (e) of this Section, a carrier does not remit the
4 surcharge or any portion thereof required under this Section,
5 then the surcharge or portion thereof shall be deemed
6 delinquent until paid in full, and the Illinois State Police
7 may impose a penalty against the carrier in an amount equal to
8 the greater of:

9 (1) \$25 for each month or portion of a month from the
10 time an amount becomes delinquent until the amount is paid
11 in full; or

12 (2) an amount equal to the product of 1% and the sum of
13 all delinquent amounts for each month or portion of a
14 month that the delinquent amounts remain unpaid.

15 A penalty imposed in accordance with this subsection (f)
16 for a portion of a month during which the carrier pays the
17 delinquent amount in full shall be prorated for each day of
18 that month that the delinquent amount was paid in full. Any
19 penalty imposed under this subsection (f) is in addition to
20 the amount of the delinquency and is in addition to any other
21 penalty imposed under this Section.

22 (g) If, within 8 calendar days after it is due, a wireless
23 carrier does not provide the number of subscribers by zip code
24 as required under subsection (e) of this Section, then the
25 report is deemed delinquent and the Illinois State Police may
26 impose a penalty against the carrier in an amount equal to the

1 greater of:

2 (1) \$25 for each month or portion of a month that the
3 report is delinquent; or

4 (2) an amount equal to the product of \$0.01 and the
5 number of subscribers served by the carrier for each month
6 or portion of a month that the delinquent report is not
7 provided.

8 A penalty imposed in accordance with this subsection (g)
9 for a portion of a month during which the carrier provides the
10 number of subscribers by zip code as required under subsection
11 (e) of this Section shall be prorated for each day of that
12 month during which the carrier had not provided the number of
13 subscribers by zip code as required under subsection (e) of
14 this Section. Any penalty imposed under this subsection (g) is
15 in addition to any other penalty imposed under this Section.

16 (h) A penalty imposed and collected in accordance with
17 subsection (f) or (g) of this Section shall be deposited into
18 the Statewide 9-1-1 Fund for distribution according to Section
19 30 of this Act.

20 (i) The Illinois State Police may enforce the collection
21 of any delinquent amount and any penalty due and unpaid under
22 this Section by legal action or in any other manner by which
23 the collection of debts due the State of Illinois may be
24 enforced under the laws of this State. The Illinois State
25 Police may excuse the payment of any penalty imposed under
26 this Section if the Administrator determines that the

1 enforcement of this penalty is unjust.

2 (j) Notwithstanding any provision of law to the contrary,
3 nothing shall impair the right of wireless carriers to recover
4 unreimbursed compliance costs for all emergency communications
5 services directly from their wireless subscribers by line-item
6 charges on the wireless subscriber's bill. Those compliance
7 costs include all costs incurred by wireless carriers in
8 complying with local, State, and federal regulatory or
9 legislative mandates that require the transmission and receipt
10 of emergency communications to and from the general public,
11 including, but not limited to, E9-1-1.

12 (Source: P.A. 102-9, eff. 6-3-21; 102-538, eff. 8-20-21;
13 102-813, eff. 5-13-22; 103-366, eff. 1-1-24.)