

**SB2670**



**104TH GENERAL ASSEMBLY**

**State of Illinois**

**2025 and 2026**

**SB2670**

Introduced 5/27/2025, by Sen. David Koehler

**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 13671 RTM 26333 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7           (Section scheduled to be repealed on December 31, 2025)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.)