

COMMITTEE ON GOVERNMENT  
SENATE AMENDMENTS TO H.B. 2209  
(Reference to House engrossed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Title 40, chapter 2, article 1, Arizona Revised  
3 Statutes, is amended by adding section 40-212, to read:

4 40-212. Internet protocol services; definitions

5 A. A PERSON THAT OFFERS, FURNISHES OR PROVIDES FOR PROFIT OR  
6 OTHERWISE INTERNET PROTOCOL-ENABLED SERVICE OR VOICE OVER INTERNET PROTOCOL  
7 SERVICE IS NOT PROVIDING MESSAGE TRANSMISSION SERVICE TO THE PUBLIC AND IS  
8 NOT A PUBLIC SERVICE CORPORATION. THE COMMISSION MAY NOT REGULATE,  
9 DIRECTLY OR INDIRECTLY, THE ENTRY, EXIT, RATES, TERMS, CONDITIONS OR  
10 SERVICE QUALITY STANDARDS OF INTERNET PROTOCOL-ENABLED SERVICE OR VOICE  
11 OVER INTERNET PROTOCOL SERVICE.

12 B. THIS SECTION DOES NOT AFFECT OR MODIFY:

13 1. THE COMMISSION'S AUTHORITY TO ENFORCE THE REQUIREMENTS ON VOICE  
14 OVER INTERNET PROTOCOL SERVICE THAT ARE PROVIDED FOR OR ALLOWED BY FEDERAL  
15 LAW, INCLUDING THE COLLECTION OF NONDISCRIMINATORY 911 OR E911 FEES,  
16 TELECOMMUNICATIONS RELAY SERVICE FEES AND UNIVERSAL SERVICE FEES.

17 2. A PERSON'S OBLIGATIONS UNDER OR ANY RIGHT GRANTED TO A PERSON BY  
18 47 UNITED STATES CODE SECTIONS 251 AND 252.

19 3. THE COMMISSION'S JURISDICTION OVER INTRASTATE SWITCHED ACCESS  
20 RATES, INCLUDING THE IMPLEMENTATION OF FEDERAL LAW WITH RESPECT TO  
21 INTERCARRIER COMPENSATION.

22 C. FOR THE PURPOSES OF THIS SECTION:

23 1. "INTERNET PROTOCOL-ENABLED SERVICE" MEANS A SERVICE,  
24 FUNCTIONALITY OR APPLICATION THAT USES INTERNET PROTOCOL OR A SUCCESSOR

1       PROTOCOL AND ENABLES AN END USER TO SEND OR RECEIVE A VOICE, DATA OR VIDEO  
2       COMMUNICATION IN INTERNET PROTOCOL FORMAT OR A SUCCESSOR FORMAT.

3               2. "VOICE OVER INTERNET PROTOCOL SERVICE" MEANS A SERVICE THAT MEETS  
4       ALL OF THE FOLLOWING:

5               (a) ENABLES REAL-TIME, TWO-WAY VOICE COMMUNICATION THAT ORIGINATES  
6       FROM OR TERMINATES AT THE USER'S LOCATION IN INTERNET PROTOCOL OR A  
7       SUCCESSOR PROTOCOL.

8               (b) USES A BROADBAND CONNECTION FROM THE USER'S LOCATION."

9 Amend title to conform

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C: mh