

1 reasons specified by department rule. No refund is required for unexpired minutes subject to this subsection
2 (1)(f).

3 (2) Every contract entered into by a state prison for communications services under subsection (1)
4 must require the telecommunications service provider to notify the purchaser of a prepaid telephone account of
5 any fees or refunds that are available for unused minutes on a prepaid telephone card and mail the refund to
6 the purchaser's address of record.

7 (3) The department of corrections has rulemaking authority to implement this section and shall notify
8 the public service commission of the allowable rate that a telecommunications service provider may charge for
9 intrastate calls under contract with the department of corrections.

10 (4) For purposes of this section, the following definitions apply:

11 (a) "Prepaid telephone account" means a system, whether purchased as a calling card or set up as
12 an account with a telecommunications service provider, to provide telephonic connections in which the
13 purchaser pays for minutes prior to use. The term does not include a lifeline account, defined under 47 CFR
14 54.401, for which a telecommunications carrier receives universal service support.

15 (b) "State prison" has the meaning provided in 53-30-101(3)(c)(i) through (3)(c)(iii) and (3)(c)(v).

16 (c) "Telecommunications service provider" has the meaning provided for "operator service provider" in
17 69-3-1102."

18 NEW SECTION. Section 3. **{standard} Unfunded mandate laws superseded.** The provisions of
19 [this act] expressly supersede and modify the requirements of 1-2-112 through 1-2-116.

20 NEW SECTION. Section 4. **Transition.** The department of corrections shall include an option for a
21 county detention center to opt-in to a telecommunication contract at the same per-minute rate offered to the
22 department of corrections.

23 NEW SECTION. Section 5. **Codification instruction.** [Sections 1] is intended to be codified as an
24 integral part of Title 7, chapter 32, part 22, and the provisions of Title 7, chapter 32, part 22, apply to [sections
25 1].

26 NEW SECTION. Section 6. **{standard} Saving clause.** [This act] does not affect rights and duties
27 that matured, penalties that were incurred, or proceedings that were begun before [the effective date of this
28 act].

