**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 6 TO CHAPTER 9, TITLE 58 SO AS TO MAKE 911 SERVICE OBTAINABLE THROUGH ANY RESIDENTIAL TELEPHONE LANDLINE THAT HAS BEEN DISCONNECTED OR SUSPENDED BY REQUIRING LOCAL EXCHANGE CARRIERS TO CONTINUOUSLY PROVIDE A SOFT DIALTONE TO DISCONNECTED OR SUSPENDED TELEPHONE LANDLINES FOLLOWING THE DATE ON WHICH THE LINE WAS DISCONNECTED OR SUSPENDED, TO PROVIDE EXCEPTIONS, TO PROVIDE NECESSARY DEFINITIONS, AND TO PROVIDE THAT EVERY LOCATION RECEIVING A SOFT DIALTONE SHALL HAVE A CORRESPONDING RECORD IN THE 911 DATABASE UNTIL THE SOFT DIALTONE IS REMOVED.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 9, Title 58 of the 1976 Code is amended by adding:

“Article 6

Telephone Companies ‑ Soft Tones for Disconnected Landlines

Section 58‑9‑610. As used in this article:

(1) ‘911 system’ or ‘911 service’ means an emergency telephone system that provides the user of the public telephone system with the ability to reach a public safety answering point by dialing the digits 911. The terms ‘911 system’ or ‘911 service’ also includes an enhanced 911 service and includes systems and services that use or rely upon Internet protocol or other similar technologies to provide services that direct voice calls to public safety answering points.

(2) ‘Enhanced 911 access‑only’ means the provision of enhanced 911 service access from an enhanced 911 system to the premises of a telephone customer when telephone service to the premises is otherwise suspended or disconnected.

(3) ‘Enhanced 911 system’ means an emergency telephone system that, in addition to providing 911 service, directs 911 calls to appropriate public safety answering points by selective routing based on the geographical location from which the call originated and provides the capability for automatic number identification and automatic location identification features. A process to stop a telephone call directed to a disconnected or suspended telephone number and redirect that call to a recorded announcement.

(4) ‘Involuntary suspension’ means the temporary period immediately before a customer is involuntarily disconnected but during which the telephone continues to have access to the public switched network.

(5) ‘Soft dialtone’ means access to some public switched network services after telephone service has been otherwise suspended or disconnected at a residential premises. A soft dialtone must at a minimum provide enhanced 911 access‑only capability, but may provide additional telecommunication services.

(6) ‘Soft dialtone record’ is the record residing on the 911 database that corresponds to a location that receives soft dialtone.

Section 58‑9‑620. (A)(1) A local exchange carrier continuously shall provide soft dialtone to a disconnected residential telephone landline of any customer following the date on which the line was disconnected, except as provided in item (2). The local exchange carrier:

(a) shall provide soft dialtone whenever a telephone provides access to a dialtone;

(b) shall provide residential customers with periodic written information regarding the presence of soft dialtone; and

(c) may provide other telephone services in addition to enhanced 911 access‑only service.

(2) A local exchange carrier is not required to provide, and may cease providing, a soft dialtone if:

(a) providing the soft dialtone necessitates the installation of additional equipment by the local exchange carrier;

(b) the local exchange carrier must expend resources to provide equipment or services that provide soft dialtone;

(c) the local exchange carrier is incapable of providing the soft dialtone due to technical or operational factors;

(d) the local exchange carrier determines that the customer location receives active service to the public switched network by some means other than the line that was disconnected, regardless of the technology used to provide the connection; or

(e) the local exchange carrier determines that the line is associated with a structure that has been destroyed.

(3) For the purpose of item (2)(a) and (b), equipment, resources, and services do not include new or upgraded software necessary to provide soft dialtone and do not include equipment, resources, or services associated with nonutility service.

(B) If a customer is subject to a voluntary or involuntary suspension, the local exchange carrier shall provide soft dialtone to the telephone line during the period of suspension.

Section 58‑9‑630. (A)(1) Every location receiving soft dialtone shall have a corresponding record in the 911 database until the soft dialtone is removed.

(2) When telephone service is restored or a new installation is performed in a location that receives soft dialtone, the soft dialtone record corresponding to that location must be removed from the 911 database by the close of the next business day.

(3) The local exchange carrier shall change the telephone number of a location receiving soft dialtone that results from involuntary disconnection or optional provision of soft dialtone, to a number that uniquely identifies service as being soft dialtone.

(4) If a soft dialtone number is dialed, the call must be redirected using an intercept process.

(B)(1) The customer name field in a soft dialtone record must be designated as follows:

(a) for an involuntary disconnection: ‘INVOLUNTARY DISC‑NO CALL BACK’;

(b) for a voluntary or involuntary suspension, retain customer’s name appended with ‘NO CALL BACK’;

(c) for optional provision of a soft dialtone: ‘LEFT IN SERVICE‑NO CALL BACK’.

(2) The class of service field in a soft dialtone record caused by an involuntary disconnection or optional provision of soft dialtone must be ‘NONPUBLISHED’.

(C) Each local exchange carrier annually shall review its soft dialtone records to:

(1) verify that each location corresponding to a soft dialtone record currently receives soft dialtone and remove all soft dialtone records for which soft dialtone no longer exists;

(2) review the length of time each soft dialtone record has resided in the 911 database and, for each record that has exceeded the time limitations established in this article, disconnect soft dialtone and remove the corresponding record from the 911 database; and

(3) review and update the procedure for numbering soft dialtone numbers.”

SECTION 2. This act takes effect thirty days after approval by the Governor.

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