

House Engrossed

State of Arizona
House of Representatives
Forty-fifth Legislature
First Regular Session
2001

CHAPTER 50

HOUSE BILL 2447

AN ACT

AMENDING SECTION 40-286, ARIZONA REVISED STATUTES; RELATING TO
TELECOMMUNICATIONS SERVICES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 40-286, Arizona Revised Statutes, is amended to
3 read:

4 40-286. Exemption from antitrust statutes

5 The provisions of title 44, chapter 10, article 1, shall not apply to
6 any conduct or activity of a public service corporation holding a certificate
7 of public convenience and necessity granted pursuant to this article, which
8 conduct or activity is approved by a statute of this state or of the United
9 States or by the corporation commission or an administrative agency of this
10 state or of the United States having jurisdiction of the subject
11 matter. This section does not apply to the provision of competitive electric
12 generation service or other services OR TO THE PROVISION OF ANY COMPETITIVE
13 TELECOMMUNICATIONS SERVICES. THIS SECTION DOES NOT ALTER, MODIFY OR AFFECT
14 APPLICABLE FEDERAL OR STATE LAW REGARDING THE RIGHTS OF AN OWNER OF PRIVATE
15 PROPERTY RELATIVE TO PROVISION OF OR ACCESS TO TELECOMMUNICATION SERVICES ON
16 OR FOR THAT PRIVATE PROPERTY.

17 Sec. 2. Purpose

18 The purpose of this act is to confirm that the conduct of public
19 service corporations that provide competitive telecommunications services
20 shall no longer be exempt from the state's antitrust laws simply because the
21 public service corporations have been granted a certificate of convenience
22 and necessity and the conduct has been approved by state or federal law or
23 a state or federal agency. This act is not intended to address the legality
24 of specific contracts entered into between telecommunications service
25 providers and owners or managers of large buildings or residential apartment
26 complexes, and the law applicable to such contracts remains unchanged by the
27 passage of this act.

APPROVED BY THE GOVERNOR APRIL 4, 2001.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 4, 2001.

Passed the House March 07, 2001,

Passed the Senate March 28, 2001,

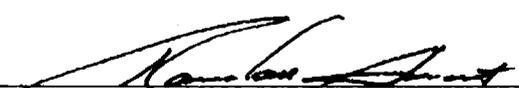
by the following vote: 59 Ayes,

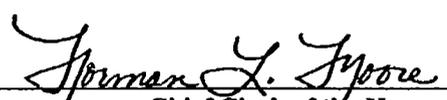
by the following vote: 30 Ayes,

0 Nays, 1 Not Voting

0 Nays, 0 Not Voting


Speaker of the House


President of the Senate


Chief Clerk of the House

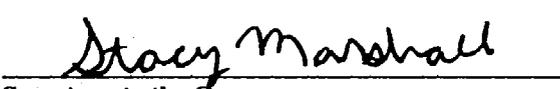

Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

29 day of March, 2001,

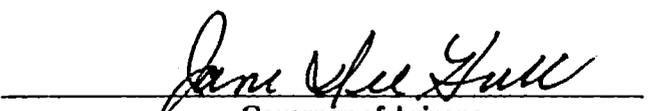
at 1:30 o'clock P M.


Secretary to the Governor

Approved this 4th day of

April, 2001,

at 10:06 o'clock A M.

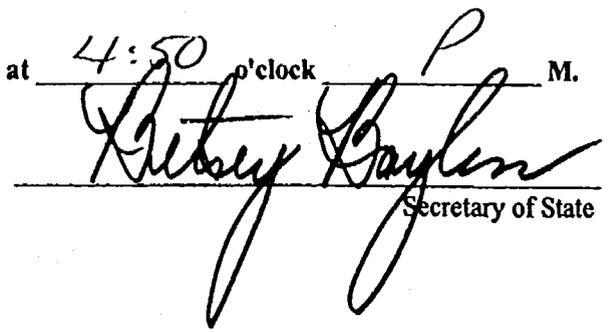

Governor of Arizona

H.B. 2447

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State
this 4 day of April, 2001,

at 4:50 o'clock P M.


Secretary of State