66-2017.   VoIP and IP-enabled services; regulation of limitations on. (a) Except as otherwise provided in this section, no VoIP service, IP-enabled service, or any combination thereof, shall be subject to the jurisdiction of, regulation by, supervision of or control by any state agency or political subdivision of the state.

(b)   VoIP services shall be subject to:

(1)   The requirements of K.S.A. 66-2008, and amendments thereto, pertaining to the Kansas universal service fund (KUSF). The provisions of subsection (a) shall not affect or restrict eligibility for KUSF support; and

(2)   the requirements of the Kansas 911 act, K.S.A. 2014 Supp. 12-5362 et seq., and amendments thereto.

(c)   No provision of this section shall be construed to modify:

(1)   The requirements of the video competition act, K.S.A. 2014 Supp. 12-2021 et seq., and amendments thereto;

(2)   the state corporation commission's authority under 47 U.S.C. §§ 251 and 252, as in effect on the effective date of this act. For the purposes of this paragraph, the term "state commission" used in 47 U.S.C. §§ 251 and 252 shall mean the state corporation commission established pursuant to K.S.A. 74-601, and amendments thereto;

(3)   the authority of the state of Kansas or a political subdivision thereof to manage the use of public rights of way pursuant to K.S.A. 17-1902, and amendments thereto; or

(4)   the rights and obligations of subsection (y) of K.S.A. 66-2005, and amendments thereto.

(d)   For the purposes of this section:

(1)   "Internet protocol enabled service" or "IP-enabled service" means any service, capability, functionality, or application using an internet protocol (IP) that enables an end user to send or receive a voice, data or video communication in an IP format.

(2)   "Political subdivision" shall have the meaning ascribed to such term in K.S.A. 28-137b, and amendments thereto.

(3)   "State agency" shall have the meaning ascribed to such term in K.S.A. 75-3701, and amendments thereto.

(4)   "Voice over Internet Protocol" or "VoIP" is any service that:

(A)   Uses an internet protocol (IP) to enable real-time, two-way voice communication that originates from, or terminates at, the user's location in an IP;

(B)   utilizes a broadband connection from the user's location; and

(C)   permits a user to receive a call that originates on the public switched telephone network (PSTN) and to terminate a call to the PSTN.

History: L. 2013, ch. 66, § 1; July 1.