



HOUSE DEMOCRATIC OFFICE

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REPRESENTATIVE JOE GIBBONS PROVIDES TESTIMONY TO CONGRESS REGARDING CELL TAX FAIRNESS ACT OF 2009

On Tuesday, June 9, 2009, State Representative Joseph Gibbons (D-Hallandale Beach) testified before the U.S. House Committee on the Judiciary, Subcommittee on Commercial and Administrative Law regarding House Resolution 1521, the Cell Tax fairness Act of 2009.

The act prohibits states or local governments from imposing any new discriminatory tax on mobile services, mobile service providers, or mobile service property for five years after the enactment of this Act. It further defines "new discriminatory tax" as a tax imposed on mobile services, providers, or property that is not generally imposed on other types of services or property, or that is generally imposed at a lower rate.

In his prepared remarks, as well as on the video available at this link, [Prepared Testimonies and Archived Video](#), Representative Gibbons told subcommittee members that taxation should not punish disproportionately those who can least afford it. He said that the impact of the current level of taxation on wireless consumers in his district is significant for the high level of seniors, African Americans and Hispanic consumers who use wireless voice and data services.

Representative Gibbons said he takes any federal intervention into state taxing authority very seriously, but he believes HR 1521 walks the "fine line of when federal intervention makes sense."

"This bill does not preclude my ability to tax wireless consumers or the industry in a rational way," Representative Gibbons said. "It only precludes my state from targeting these consumers for additional excess taxes."

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