

House Bill 280

By: Representatives Harbin of the 118th, Ehrhart of the 36th, Rice of the 51st, Anderson of the 117th, Sheldon of the 105th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 4 of Article 2 of Chapter 5 of Title 46 of the Official Code of Georgia
2 Annotated, the "Georgia Emergency Telephone Number 9-1-1 Service Act of 1977," so as
3 to correct a cross-reference; to provide additional uses for Emergency Telephone System
4 Fund moneys; to provide for the enhancement of dispatch and response activities and
5 equipment of public safety personnel; to provide for related matters; to repeal conflicting
6 laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Part 4 of Article 2 of Chapter 5 of Title 46 of the Official Code of Georgia Annotated, the
10 "Georgia Emergency Telephone Number 9-1-1 Service Act of 1977," is amended by revising
11 subparagraph (C) of paragraph (18) of Code Section 46-5-122, relating to definitions relative
12 to the "Georgia Emergency Telephone Number 9-1-1 Service Act of 1977," as follows:

13 "(C) Other costs which may be paid with money from the Emergency Telephone
14 System Fund, pursuant to subsection ~~(e)~~ (f) of Code Section 46-5-134."

15 **SECTION 2.**

16 Said part is further amended by revising subsection (f) of Code Section 46-5-134, relating
17 to the establishment of the Emergency Telephone System Fund, as follows:

18 "(f) In addition to cost recovery as provided in subsection (e) of this Code section, money
19 from the Emergency Telephone System Fund shall be used only to pay for:

- 20 (1) The lease, purchase, or maintenance of emergency telephone equipment, including
- 21 necessary computer hardware, software, and data base provisioning; addressing; and
- 22 nonrecurring costs of establishing a 9-1-1 system;
- 23 (2) The rates associated with the service supplier's 9-1-1 service and other service
- 24 supplier's recurring charges;

25 (3) ~~The actual cost of salaries, including benefits, of employees and employee benefits~~
 26 ~~incurred by the local government for employees hired by the local government solely for~~
 27 ~~the operation and maintenance of the emergency 9-1-1 system and the actual cost of~~
 28 ~~training such of those employees who work as dispatchers or and employees who work~~
 29 ~~as directors as that term is defined in Code Section 46-5-138.2, whether such employee~~
 30 ~~benefits are purchased directly from a third-party insurance carrier or funded by the local~~
 31 ~~government's self-funding risk program. As used in this paragraph, the term 'employee~~
 32 ~~benefits' means health benefits, disability benefits, death benefits, accidental death and~~
 33 ~~dismemberment benefits, pension benefits, retirement benefits, and such other benefits~~
 34 ~~as the local government may provide. Said term shall also include any post-employment~~
 35 ~~benefits the local government may provide;~~

36 (4) The actual cost of insurance purchased by the local government to insure against the
 37 risks and liability in the operation and maintenance of the emergency 9-1-1 system on
 38 behalf of the local government or on behalf of employees hired by the local government
 39 solely for the operation and maintenance of the emergency 9-1-1 system and employees
 40 who work as directors as that term is defined in Code Section 46-5-138.2, whether such
 41 insurance is purchased directly from a third-party insurance carrier or funded by the local
 42 government's self-funding risk program. As used in this paragraph, the term 'cost of
 43 insurance' shall include, but shall not be limited to, any insurance premiums, unit fees,
 44 and broker fees paid for insurance obtained by the local government;

45 (5) The actual cost of training employees hired by the local government solely for the
 46 operation and maintenance of emergency 9-1-1 system and employees who work as
 47 directors as that term is defined in Code Section 46-5-138.2;

48 ~~(4)~~(6) Office supplies of the public safety answering points used directly in providing
 49 emergency 9-1-1 system services;

50 ~~(5)~~(7) The cost of leasing or purchasing a building used as a public safety answering
 51 point. Moneys from the fund ~~cannot~~ shall not be used for the construction or lease of an
 52 emergency 9-1-1 system building until the local government has completed its street
 53 addressing plan;

54 ~~(6)~~(8) The lease, purchase, or maintenance of computer hardware and software used at
 55 a public safety answering point, including computer-assisted dispatch systems and
 56 automatic vehicle location systems;

57 ~~(7)~~(9) Supplies directly related to providing emergency 9-1-1 system services, including
 58 the cost of printing emergency 9-1-1 system public education materials; ~~and~~

59 ~~(8)~~(10) The lease, purchase, or maintenance of logging recorders used at a public safety
 60 answering point to record telephone and radio traffic;

61 (11) The lease, purchase, or maintenance of a mobile communications vehicle and
 62 equipment, if the primary purpose and designation of such vehicle is to function as a
 63 backup 9-1-1 system center;

64 (12) The allocation of indirect costs associated with supporting the 9-1-1 system center
 65 and operations as identified and outlined in an indirect cost allocation plan approved by
 66 the local governing authority that is consistent with the costs allocated within the local
 67 government to both governmental and business-type activities;

68 (13) The lease, purchase, or maintenance of mobile public safety voice and data
 69 equipment or towers necessary to carry out the function of 9-1-1 system operations; and

70 (14) The lease, purchase, or maintenance of public safety voice and data communications
 71 systems located in the 9-1-1 system facility that further the legislative intent of providing
 72 the highest level of emergency response service on a local, regional, and state-wide basis,
 73 including equipment and associated hardware and software that supports the use of public
 74 safety wireless voice and data communication systems, but only if:

75 (A) The local government's 9-1-1 system provides enhanced 9-1-1 service; and

76 (B) Funds for such purposes are distributed pursuant to an intergovernmental
 77 agreement between the local governments whose citizens are served by the emergency
 78 9-1-1 system proportionately by population as determined by the most recent decennial
 79 census published by the United States Bureau of the Census at the time such agreement
 80 is entered into.

81 The revenues from the 9-1-1 charges or wireless enhanced 9-1-1 charges in the local
 82 government's Emergency Telephone System Fund at the end of any fiscal year shall be
 83 projected to exceed the cost of providing enhanced 9-1-1 services as authorized in
 84 paragraphs (1) through (10) of this subsection prior to using money from the fund to pay
 85 for the cost of providing enhanced 9-1-1 services as authorized in paragraphs (11) through
 86 (14) of this subsection."

87 **SECTION 3.**

88 All laws and parts of laws in conflict with this Act are repealed.