

House Bill 280 (COMMITTEE SUBSTITUTE)

By: Representatives Harbin of the 118<sup>th</sup>, Ehrhart of the 36<sup>th</sup>, Rice of the 51<sup>st</sup>, Anderson of the 117<sup>th</sup>, Sheldon of the 105<sup>th</sup>, 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)(1) In addition to cost recovery as provided in subsection (e) of this Code section,  
19 money from the Emergency Telephone System Fund shall be used only to pay for:

20 ~~(1)~~(A) The lease, purchase, or maintenance of emergency telephone equipment,  
21 including necessary computer hardware, software, and data base provisioning;  
22 addressing; and nonrecurring costs of establishing a 9-1-1 system;

23 ~~(2)~~(B) The rates associated with the service supplier's 9-1-1 service and other service  
24 supplier's recurring charges;

25 ~~(3)~~(C) The actual cost, according to generally accepted accounting principles, of  
 26 salaries, including benefits, of employees and employee benefits incurred by the local  
 27 government for employees hired by the local government solely for the operation and  
 28 maintenance of the emergency 9-1-1 system and the actual cost of training such of  
 29 those employees who work as dispatchers or and employees who work as directors as  
 30 that term is defined in Code Section 46-5-138.2, whether such employee benefits are  
 31 purchased directly from a third-party insurance carrier, funded by the local  
 32 government's self-funding risk program, or funded by the local government's  
 33 participation in a group self-insurance fund. As used in this paragraph, the term  
 34 'employee benefits' means health benefits, disability benefits, death benefits, accidental  
 35 death and dismemberment benefits, pension benefits, retirement benefits, workers'  
 36 compensation, and such other benefits as the local government may provide. Said term  
 37 shall also include any post-employment benefits the local government may provide;  
 38 (D) The actual cost, according to generally accepted accounting principles, of training  
 39 employees hired by the local government solely for the operation and maintenance of  
 40 emergency 9-1-1 system and employees who work as directors as that term is defined  
 41 in Code Section 46-5-138.2;  
 42 ~~(4)~~(E) Office supplies of the public safety answering points used directly in providing  
 43 emergency 9-1-1 system services;  
 44 ~~(5)~~(F) The cost of leasing or purchasing a building used as a public safety answering  
 45 point. Moneys from the fund ~~cannot~~ shall not be used for the construction or lease of  
 46 an emergency 9-1-1 system building until the local government has completed its street  
 47 addressing plan;  
 48 ~~(6)~~(G) The lease, purchase, or maintenance of computer hardware and software used  
 49 at a public safety answering point, including computer-assisted dispatch systems and  
 50 automatic vehicle location systems;  
 51 ~~(7)~~(H) Supplies directly related to providing emergency 9-1-1 system services,  
 52 including the cost of printing emergency 9-1-1 system public education materials; and  
 53 ~~(8)~~(I) The lease, purchase, or maintenance of logging recorders used at a public safety  
 54 answering point to record telephone and radio traffic.  
 55 (2)(A) In addition to cost recovery as provided in subsection (e) of this Code section,  
 56 money from the Emergency Telephone System Fund may be used to pay for those  
 57 purposes set forth in subparagraph (B) of this paragraph, if:  
 58 (i) The local government's 9-1-1 system provides enhanced 9-1-1 service;  
 59 (ii) The revenues from the 9-1-1 charges or wireless enhanced 9-1-1 charges in the  
 60 local government's Emergency Telephone System Fund at the end of any fiscal year  
 61 shall be projected to exceed the cost of providing enhanced 9-1-1 services as

62 authorized in subparagraphs (A) through (I) of paragraph (1) of this subsection and  
 63 the cost of providing enhanced 9-1-1 services as authorized in subparagraphs (A)  
 64 through (I) of paragraph (1) of this subsection includes a reserve amount equal to at  
 65 least 10 percent of the previous year's expenditures; and

66 (iii) Funds for such purposes are distributed pursuant to an intergovernmental  
 67 agreement between the local governments whose citizens are served by the  
 68 emergency 9-1-1 system proportionately by population as determined by the most  
 69 recent decennial census published by the United States Bureau of the Census at the  
 70 time such agreement is entered into.

71 (B) Pursuant to subparagraph (A) of this paragraph, the Emergency Telephone System  
 72 Fund may be used to pay for:

73 (i) The actual cost, according to generally accepted accounting principles, of  
 74 insurance purchased by the local government to insure against the risks and liability  
 75 in the operation and maintenance of the emergency 9-1-1 system on behalf of the  
 76 local government or on behalf of employees hired by the local government solely for  
 77 the operation and maintenance of the emergency 9-1-1 system and employees who  
 78 work as directors as that term is defined in Code Section 46-5-138.2, whether such  
 79 insurance is purchased directly from a third-party insurance carrier, funded by the  
 80 local government's self-funding risk program, or funded by the local government's  
 81 participation in a group self-insurance fund. As used in this division, the term 'cost  
 82 of insurance' shall include, but shall not be limited to, any insurance premiums, unit  
 83 fees, and broker fees paid for insurance obtained by the local government;

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

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

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

94 (v) The lease, purchase, or maintenance of public safety voice and data  
 95 communications systems located in the 9-1-1 system facility that further the  
 96 legislative intent of providing the highest level of emergency response service on a  
 97 local, regional, and state-wide basis, including equipment and associated hardware

98 and software that supports the use of public safety wireless voice and data  
99 communication systems."

100

**SECTION 3.**

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