

The Senate Regulated Industries and Utilities Committee offered the following substitute to HB 280:

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 modify provisions relating to information that must be
4 registered by a service supplier doing business in Georgia for support of the 9-1-1 system;
5 to provide additional uses for Emergency Telephone System Fund moneys; to provide for
6 the enhancement of dispatch and response activities and equipment of public safety
7 personnel; to provide for related matters; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

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

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

16 **SECTION 2.**

17 Said part is further amended by revising subsection (a) of Code Section 46-5-124.1, relating
18 to service suppliers that must register certain information with the director of emergency
19 management, updating information, and notices of delinquency, as follows:

20 "(a) Any service supplier doing business in Georgia shall register the following
21 information with the director:

22 (1) The name, address, and telephone number of the representative of the service supplier
23 to whom the resolution adopted pursuant to Code Section 46-5-133 or other notification
24 of intent to provide automatic number identification or automatic location identification,

- 25 or both, of a ~~wireless telecommunications~~ telephone service connection should be
 26 submitted;
- 27 (2) The name, address, and telephone number of the representative of the service supplier
 28 with whom a local government must coordinate to implement automatic number
 29 identification or automatic location identification, or both, of a ~~wireless~~
 30 ~~telecommunications~~ telephone service connection;
- 31 (3) The counties in Georgia in which the service supplier is authorized to provide
 32 ~~wireless~~ telephone service at the time the filing is made; and
- 33 (4) Every corporate name under which the service supplier is authorized to provide
 34 ~~wireless~~ telephone service in Georgia."

35 SECTION 3.

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

38 "(f)(1) In addition to cost recovery as provided in subsection (e) of this Code section,
 39 money from the Emergency Telephone System Fund shall be used only to pay for:

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

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

45 (3)(C) The actual cost, according to generally accepted accounting principles, of
 46 salaries, including benefits, of employees and employee benefits incurred by the local
 47 government for employees hired by the local government solely for the operation and
 48 maintenance of the emergency 9-1-1 system and the actual cost of training such of
 49 those employees who work as dispatchers or and employees who work as directors as
 50 that term is defined in Code Section 46-5-138.2, whether such employee benefits are
 51 purchased directly from a third-party insurance carrier, funded by the local
 52 government's self-funding risk program, or funded by the local government's
 53 participation in a group self-insurance fund. As used in this paragraph, the term
 54 'employee benefits' means health benefits, disability benefits, death benefits, accidental
 55 death and dismemberment benefits, pension benefits, retirement benefits, workers'
 56 compensation, and such other benefits as the local government may provide. Said term
 57 shall also include any post-employment benefits the local government may provide;

58 (D) The actual cost, according to generally accepted accounting principles, of training
 59 employees hired by the local government solely for the operation and maintenance of

60 emergency 9-1-1 system and employees who work as directors as that term is defined
 61 in Code Section 46-5-138.2;

62 ~~(4)~~(E) Office supplies of the public safety answering points used directly in providing
 63 emergency 9-1-1 system services;

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

68 ~~(6)~~(G) The lease, purchase, or maintenance of computer hardware and software used
 69 at a public safety answering point, including computer-assisted dispatch systems and
 70 automatic vehicle location systems;

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

73 ~~(8)~~(I) The lease, purchase, or maintenance of logging recorders used at a public safety
 74 answering point to record telephone and radio traffic.

75 (2)(A) In addition to cost recovery as provided in subsection (e) of this Code section,
 76 money from the Emergency Telephone System Fund may be used to pay for those
 77 purposes set forth in subparagraph (B) of this paragraph, if:

78 (i) The local government's 9-1-1 system provides enhanced 9-1-1 service;

79 (ii) The revenues from the 9-1-1 charges or wireless enhanced 9-1-1 charges in the
 80 local government's Emergency Telephone System Fund at the end of any fiscal year
 81 shall be projected to exceed the cost of providing enhanced 9-1-1 services as
 82 authorized in subparagraphs (A) through (I) of paragraph (1) of this subsection and
 83 the cost of providing enhanced 9-1-1 services as authorized in subparagraphs (A)
 84 through (I) of paragraph (1) of this subsection includes a reserve amount equal to at
 85 least 10 percent of the previous year's expenditures; and

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

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

93 (i) The actual cost, according to generally accepted accounting principles, of
 94 insurance purchased by the local government to insure against the risks and liability
 95 in the operation and maintenance of the emergency 9-1-1 system on behalf of the
 96 local government or on behalf of employees hired by the local government solely for

97 the operation and maintenance of the emergency 9-1-1 system and employees who
98 work as directors as that term is defined in Code Section 46-5-138.2, whether such
99 insurance is purchased directly from a third-party insurance carrier, funded by the
100 local government's self-funding risk program, or funded by the local government's
101 participation in a group self-insurance fund. As used in this division, the term 'cost
102 of insurance' shall include, but shall not be limited to, any insurance premiums, unit
103 fees, and broker fees paid for insurance obtained by the local government;
104 (ii) The lease, purchase, or maintenance of a mobile communications vehicle and
105 equipment, if the primary purpose and designation of such vehicle is to function as
106 a backup 9-1-1 system center;
107 (iii) The allocation of indirect costs associated with supporting the 9-1-1 system
108 center and operations as identified and outlined in an indirect cost allocation plan
109 approved by the local governing authority that is consistent with the costs allocated
110 within the local government to both governmental and business-type activities;
111 (iv) The lease, purchase, or maintenance of mobile public safety voice and data
112 equipment, geo-targeted text messaging alert systems, or towers necessary to carry
113 out the function of 9-1-1 system operations; and
114 (v) The lease, purchase, or maintenance of public safety voice and data
115 communications systems located in the 9-1-1 system facility that further the
116 legislative intent of providing the highest level of emergency response service on a
117 local, regional, and state-wide basis, including equipment and associated hardware
118 and software that supports the use of public safety wireless voice and data
119 communication systems."

120 **SECTION 4.**

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