



CHAMBER ACTION

The Committee on Business Regulation recommends the following:

**Committee Substitute**

Remove the entire bill and insert:

A bill to be entitled

An act relating to emergency communications; amending s. 365.172, F.S.; defining the terms "active prepaid wireless telephone," "mobile telephone number," "prepaid wireless telephone service," and "sufficient positive balance" for purposes of wireless emergency communications; revising authority of the board; prescribing additional duties of the board of directors of the Wireless 911 Board with respect to 911 and E911 systems; revising procedures for securing accounting services; prescribing a method of collecting the wireless E911 fee in instances in which the wireless telephone service to which the surcharge applies is prepaid; exempting certain colocated facilities from specified land development regulations under described circumstances; providing for certification to local governments of compliance with certain federal regulations; providing for local government approval of applications for permits for new or colocated wireless communications facilities; providing procedures and



HB 1307

2003  
CS

29 | timeframes; providing for waiver of timeframes; specifying  
30 | permitted use and activity for certain additional  
31 | facilities; providing for the Department of Management  
32 | Services and the Department of Transportation to negotiate  
33 | leases of state-owned property for certain wireless  
34 | telecommunications facilities; authorizing said  
35 | departments to adopt rules; providing for report to the  
36 | board and the county of certain delays in locating  
37 | facilities; providing for a subcommittee to make  
38 | recommendations to the board and certain identified local  
39 | governments regarding compliance with federal Phase II  
40 | E911 service requirements; providing for report of such  
41 | recommendations to the Governor and the Legislature;  
42 | amending s. 365.173, F.S.; authorizing disbursements from  
43 | the Wireless Emergency Telephone System Fund for  
44 | activities of the board of directors of the Wireless 911  
45 | Board; creating s. 365.175, F.S.; providing definitions;  
46 | requiring new private branch exchange telephone systems to  
47 | have automatic location identification capabilities;  
48 | providing an effective date.

49

50 | Be It Enacted by the Legislature of the State of Florida:

51

52 | Section 1. Subsection (3), paragraph (a) of subsection  
53 | (6), and subsections (7) and (9) of section 365.172, Florida  
54 | Statutes, are amended, present subsections (11) and (12) of that  
55 | section are renumbered as subsections (12) and (13),



HB 1307

2003  
CS

56 | respectively, and a new subsection (11) is added to that  
57 | section, to read:

58 |       365.172 Wireless emergency telephone number "E911."--

59 |       (3) DEFINITIONS.--As used in this section and ss. 365.173  
60 | and 365.174, the term:

61 |       (a) "Active prepaid wireless telephone" means a prepaid  
62 | wireless telephone that has been used by the customer during the  
63 | month to complete a telephone call for which the customer's card  
64 | or balance was decremented.

65 |       (b)~~(a)~~ "Answering point" means the public safety agency  
66 | that receives incoming 911 calls and dispatches appropriate  
67 | public safety agencies to respond to such calls.

68 |       (c)~~(b)~~ "Automatic location identification" means the  
69 | capability of the E911 service which enables the automatic  
70 | display of information that defines the approximate geographic  
71 | location of the wireless telephone used to place a 911 call.

72 |       (d)~~(c)~~ "Automatic number identification" means the  
73 | capability of the E911 service which enables the automatic  
74 | display of the 10-digit service number used to place a 911 call.

75 |       (e)~~(d)~~ "Board" means the board of directors of the  
76 | Wireless 911 Board.

77 |       (f)~~(e)~~ "Office" means the State Technology Office.

78 |       (g)~~(f)~~ "E911" is the designation for a wireless enhanced  
79 | 911 system or wireless enhanced 911 service that is an emergency  
80 | telephone system or service that provides a subscriber with  
81 | wireless 911 service and, in addition, directs 911 calls to  
82 | appropriate public safety answering points by selective routing  
83 | based on the geographical location from which the call



HB 1307

2003  
CS

84 originated, or as otherwise provided in the state plan under s.  
85 365.171, and that provides for automatic number identification  
86 and automatic location-identification features in accordance  
87 with the requirements of the order.

88 (h)~~(g)~~ "Fee" means the E911 fee imposed under subsection  
89 (8).

90 (i)~~(h)~~ "Fund" means the Wireless Emergency Telephone  
91 System Fund established in s. 365.173 and maintained under this  
92 section for the purpose of recovering the costs associated with  
93 providing 911 service or E911 service, including the costs of  
94 implementing the order.

95 (j)~~(i)~~ "Local exchange carrier" means an "alternative  
96 local exchange telecommunications company" or a "local exchange  
97 telecommunications company" as defined in s. 364.02.

98 (k)~~(j)~~ "Local government" means any municipality, county,  
99 or political subdivision or agency of a municipality, county, or  
100 political subdivision.

101 (l) "Mobile telephone number" or "MTN" means the telephone  
102 number assigned to a wireless telephone at the time of initial  
103 activation.

104 (m)~~(k)~~ "Order" means:

105 1. The following orders and rules of the Federal  
106 Communications Commission issued in FCC Docket No. 94-102:

107 a. Order adopted on June 12, 1996, with an effective date  
108 of October 1, 1996, the amendments to s. 20.03 and the creation  
109 of s. 20.18 of Title 47 of the Code of Federal Regulations  
110 adopted by the Federal Communications Commission pursuant to  
111 such order.



HB 1307

2003  
CS

112 b. Memorandum and Order No. FCC 97-402 adopted on December  
113 23, 1997.

114 c. Order No. FCC DA 98-2323 adopted on November 13, 1998.

115 d. Order No. FCC 98-345 adopted December 31, 1998.

116 2. Orders and rules subsequently adopted by the Federal  
117 Communications Commission relating to the provision of wireless  
118 911 services.

119 (n)~~(l)~~ "Provider" means a person or entity who provides  
120 service and either:

121 1. Is subject to the requirements of the order; or

122 2. Elects to provide wireless 911 service or E911 service  
123 in this state.

124 (o) "Prepaid wireless telephone service" means wireless  
125 telephone service that is activated in advance by payment for a  
126 finite dollar amount of service or for a finite set of minutes  
127 that terminate either upon use by a customer and delivery by the  
128 wireless provider of an agreed-upon amount of service  
129 corresponding to the total dollar amount paid in advance or  
130 within a certain period of time following the initial purchase  
131 or activation, unless additional payments are made.

132 (p)~~(m)~~ "Public agency" means the state and any  
133 municipality, county, municipal corporation, or other  
134 governmental entity, public district, or public authority  
135 located in whole or in part within this state which provides, or  
136 has authority to provide, firefighting, law enforcement,  
137 ambulance, medical, or other emergency services.



HB 1307

2003  
CS

138        ~~(q)(n)~~ "Public safety agency" means a functional division  
139 of a public agency which provides firefighting, law enforcement,  
140 medical, or other emergency services.

141        ~~(r)(e)~~ "Rural county" means any county that has a  
142 population of fewer than 75,000.

143        ~~(s)(p)~~ "Service" means "commercial mobile radio service"  
144 as provided under ss. 3(27) and 332(d) of the Federal  
145 Telecommunications Act of 1996, 47 U.S.C., ss. 151 et seq., and  
146 the Omnibus Budget Reconciliation Act of 1993, Pub. L. No. 103-  
147 66, August 10, 1993, 107 Stat. 312. The term "service" includes  
148 the term "wireless" and service provided by any wireless real-  
149 time two-way wire communication device, including radio-  
150 telephone communications used in cellular telephone service;  
151 personal communications service; or the functional or  
152 competitive equivalent of a radio-telephone communications line  
153 used in cellular telephone service, a personal communications  
154 service, or a network radio access line. The term does not  
155 include wireless providers that offer mainly dispatch service in  
156 a more localized, noncellular configuration; providers offering  
157 only data, one-way, or stored-voice services on an  
158 interconnected basis; providers of air-to-ground services; or  
159 public coast stations.

160        ~~(t)(q)~~ "Service number" means the unique 10-digit wireless  
161 telephone number assigned to a service subscriber.

162        (u) "Sufficient positive balance" means a dollar amount  
163 greater than or equal to the monthly wireless surcharge amount.

164        ~~(v)(r)~~ "Wireless 911 system" or "wireless 911 service"  
165 means an emergency telephone system or service that provides a



HB 1307

2003  
CS

166 subscriber with the ability to reach an answering point by  
167 dialing the digits "911." A wireless 911 system is complementary  
168 to a wired 911 system as provided for in s. 365.171.

169 (6) AUTHORITY OF THE BOARD; ANNUAL REPORT.--

170 (a) The board shall:

171 1. Administer the E911 fee.

172 2. Implement, maintain, and oversee the fund.

173 3. Review and oversee the disbursement of the revenues  
174 deposited into the fund as provided in s. 365.173. The board may  
175 establish a schedule for implementing wireless E911 service by  
176 service area, and prioritize disbursements of revenues from the  
177 fund to providers and rural counties as provided in s.  
178 365.173(2)(b) and (c) pursuant to the schedule, in order to  
179 implement E911 services in the most efficient and cost-effective  
180 manner.

181 4. Review documentation submitted by providers which  
182 reflects current and projected funds derived from the E911 fee,  
183 and the expenses incurred and expected to be incurred, in order  
184 to comply with the E911 service requirements contained in the  
185 order for the purposes of:

186 a. Ensuring that providers receive fair and equitable  
187 distributions of funds from the fund.

188 b. Ensuring that providers are not provided disbursements  
189 from the fund which exceed the costs of providing E911 service,  
190 including the costs of complying with the order.

191 c. Ascertaining the projected costs of compliance with the  
192 requirements of the order and projected collections of the E911  
193 fee.



HB 1307

2003  
CS

194 d. Implementing changes to the allocation percentages or  
195 reducing the E911 fee under paragraph (8)(c).

196 5. Review and approve or reject, in whole or in part,  
197 applications submitted by providers for recovery of moneys  
198 deposited into the fund.

199 6. Hire and retain employees for the purposes of  
200 performing the technical and administrative functions for the  
201 board.

202 7. Make and enter into contracts, pursuant to chapter 287,  
203 and execute other instruments necessary or convenient for the  
204 exercise of the powers and functions of the board.

205 8. Take all necessary and reasonable steps by July 1,  
206 2000, to secure appropriate information and reports from  
207 providers and otherwise perform all of the functions that would  
208 be performed by an independent accounting firm prior to  
209 completing the request-for-proposals process under subsection  
210 (7).

211 9. Sue and be sued, and appear and defend in all actions  
212 and proceedings, in its corporate name to the same extent as a  
213 natural person.

214 10. Adopt, use, and alter a common corporate seal.

215 11. Elect or appoint the officers and agents that are  
216 required by the affairs of the board.

217 12. The board may adopt rules under ss. 120.536(1) and  
218 120.54 to implement this section and ss. 365.173 and 365.174.

219 13. Provide coordination, support, and technical  
220 assistance to counties to promote the deployment of advanced 911  
221 and E911 systems in the state.





222        14. Provide coordination and support for educational  
 223 opportunities related to 911 issues for the 911 community in  
 224 this state.

225        15. Act as an advocate for issues related to 911 system  
 226 functions, features, and operations to improve the delivery of  
 227 911 services to the residents of and visitors to this state.

228        16. Coordinate input from this state at national forums  
 229 and associations, to ensure that policies related to 911 systems  
 230 and services are consistent with the policies of the 911  
 231 community in this state.

232        17. Work cooperatively with the system director  
 233 established in s. 365.171(5) to enhance the state of 911  
 234 services in this state and to provide unified leadership for all  
 235 911 issues through planning and coordination.

236        ~~18.13-~~ Do all acts and things necessary or convenient to  
 237 carry out the powers granted in this section, including but not  
 238 limited to, consideration of emerging technology and related  
 239 cost savings.

240        (7) REQUEST FOR PROPOSALS FOR INDEPENDENT ACCOUNTING  
 241 FIRM.--

242        (a) The board shall issue a request for proposals as  
 243 provided in chapter 287 for the purpose of retaining an  
 244 independent accounting firm. The independent accounting firm  
 245 shall perform all material administrative and accounting tasks  
 246 and functions required for administering the E911 fee. The  
 247 request for proposals must include, but need not be limited to:

248        1. A description of the scope and general requirements of  
 249 the services requested.



HB 1307

2003  
CS

250           2. A description of the specific accounting and reporting  
251 services required for administering the fund, including  
252 processing checks and distributing funds as directed by the  
253 board under s. 365.173.

254           3. A description of information to be provided by the  
255 proposer, including the proposer's background and qualifications  
256 and the proposed cost of the services to be provided.

257           (b) The board shall establish a committee to review  
258 requests for proposals which must include the statewide 911  
259 system director, or his or her designee, and two members of the  
260 board, one of whom is a county 911 coordinator and one of whom  
261 represents the wireless telecommunications industry. The review  
262 committee shall review the proposals received by the board and  
263 recommend an independent accounting firm to the board for final  
264 selection. By agreeing to serve on the review committee, each  
265 member of the review committee shall verify that he or she does  
266 not have any interest or employment, directly or indirectly,  
267 with potential proposers which conflicts in any manner or degree  
268 with his or her performance on the committee.

269           (c) After July 1, 2004, the board may secure the services  
270 of an independent accounting firm via invitation to bid, request  
271 for proposals, invitation to negotiate, or professional  
272 contracts already established at the Division of Purchasing,  
273 Department of Management Services, for certified public  
274 accounting firms, or the board may hire and retain professional  
275 accounting staff to accomplish these functions.

276           (9) MANAGEMENT OF FUNDS.--



HB 1307

2003  
CS

277 (a) Each provider, as a part of its monthly billing  
278 process, shall collect the fee imposed under subsection (8). The  
279 provider may list the fee as a separate entry on each bill, in  
280 which case the fee must be identified as a fee for E911  
281 services. A provider shall remit the fee only if the fee is paid  
282 by the subscriber. If a provider receives a partial payment for  
283 a monthly bill from a subscriber, the amount received shall  
284 first be applied to the payment due the provider for the  
285 provision of telecommunications service.

286 (b) In the case of prepaid wireless telephone service, the  
287 monthly wireless 911 surcharge imposed by subsection (8) shall  
288 be remitted based upon each prepaid wireless telephone  
289 associated with this state, for each wireless service customer  
290 that has a sufficient positive balance as of the last day of  
291 each month. The surcharge shall be remitted in any manner  
292 consistent with the wireless provider's existing operating or  
293 technological abilities, such as customer address, location  
294 associated with the MTN, or reasonable allocation method based  
295 upon other comparable relevant data. The surcharge amount or an  
296 equivalent number of minutes may be reduced from the prepaid  
297 subscriber's account since a direct billing may not be possible.  
298 However, collection of the wireless 911 surcharge in the manner  
299 of a reduction of value or minutes from the prepaid subscriber's  
300 account does not constitute a reduction in the sales price for  
301 purposes of taxes that are collected at the point of sale.

302 (c)~~(b)~~ A provider is not obligated to take any legal  
303 action to enforce collection of the fees for which any  
304 subscriber is billed. The provider shall provide to the board



HB 1307

2003  
CS

305 each quarter a list of the names, addresses, and service numbers  
306 of all subscribers who have indicated to the provider their  
307 refusal to pay the fee.

308 (d)~~(e)~~ Each provider may retain 1 percent of the amount of  
309 the fees collected as reimbursement for the administrative costs  
310 incurred by the provider to bill, collect, and remit the fee.  
311 The remainder shall be delivered to the board and deposited in  
312 the fund. The board shall distribute the remainder pursuant to  
313 s. 365.173.

314 (e)~~(d)~~ Each provider shall deliver revenues from the fee  
315 to the board within 60 days after the end of the month in which  
316 the fee was billed, together with a monthly report of the number  
317 of wireless customers whose place of primary use is in each  
318 county. A provider may apply to the board for a refund of, or  
319 may take a credit for, any fees remitted to the board which are  
320 not collected by the provider within 6 months following the  
321 month in which the fees are charged off for federal income tax  
322 purposes as bad debt. The board may waive the requirement that  
323 the fees and number of customers whose place of primary use is  
324 in each county be submitted to the board each month and  
325 authorize a provider to submit the fees and number of customers  
326 quarterly if the provider demonstrates that such waiver is  
327 necessary and justified.

328 (f)~~(e)~~ For purposes of this section, the definitions  
329 contained in s. 202.11 and the provisions of s. 202.155 apply in  
330 the same manner and to the same extent as such definitions and  
331 provisions apply to the taxes levied pursuant to chapter 202 on  
332 mobile communications services.



HB 1307

2003  
CS

333        ~~(g)(f)~~ As used in this subsection, the term "provider"  
334 includes any person or entity that resells wireless service and  
335 was not assessed the fee by its resale supplier.

336        (11) FACILITATING E911 SERVICE  
337 IMPLEMENTATION.--Notwithstanding any other law or local  
338 ordinance to the contrary:

339        (a) Colocation among wireless telephone service providers  
340 is encouraged by the state. To further facilitate agreements  
341 among providers for colocation of their facilities, any antennae  
342 and related equipment to service the antennae that is being  
343 colocated on an existing above-ground structure is not subject  
344 to land development regulation pursuant to s. 163.3202, provided  
345 the height of the existing structure is not increased. However,  
346 construction of the antennae and related equipment is subject to  
347 local building regulations and any existing permits or  
348 agreements for such property, buildings, or structures. Nothing  
349 herein shall relieve the permitholder for or owner of the  
350 existing structure of compliance with any applicable condition  
351 or requirement of a permit, agreement, or land development  
352 regulation, including any aesthetic requirements, or law.

353        (b) Local governments shall not require providers to  
354 provide evidence of a wireless communications facility's  
355 compliance with federal regulations. However, local governments  
356 shall receive evidence of proper federal licensure from a  
357 provider and a provider shall certify compliance with federal  
358 regulations concerning radio frequency emissions, upon request.

359        (c)1. A local government shall approve or deny a properly  
360 completed application for a permit, including permits under



HB 1307

2003  
CS

361 paragraph (a), for the colocation of a wireless communications  
362 facility on property, buildings, or structures within the local  
363 government's jurisdiction within 45 business days after the date  
364 the properly completed application is initially submitted in  
365 accordance with the applicable local government application  
366 procedures, provided that such permit complies with applicable  
367 federal regulations and applicable local zoning or land  
368 development regulations, including any aesthetic requirements.  
369 Local building regulations shall apply.

370 2. A local government shall approve or deny a properly  
371 completed application for a permit for the siting of a new  
372 wireless tower or antenna on property, buildings, or structures  
373 within the local government's jurisdiction within 90 business  
374 days after the date the properly completed application is  
375 initially submitted in accordance with the applicable local  
376 government application procedures, provided that such permit  
377 complies with applicable federal regulations and applicable  
378 local zoning or land development regulations, including any  
379 aesthetic requirements. Local building regulations shall apply.

380 3.a. The local government shall notify the permit  
381 applicant within 15 business days after the date the application  
382 for colocation is submitted or within 30 business days after the  
383 date the application for a new wireless tower or antenna is  
384 submitted as to whether the application is, for administrative  
385 purposes only, properly completed and has been properly  
386 submitted. However, such determination shall not be deemed as an  
387 approval of the application. Such notification shall indicate



HB 1307

2003  
CS

388 with specificity any deficiencies which, if cured, shall make  
389 the application properly completed.

390 b. If the local government fails to approve or deny a  
391 properly completed application for a permit which has been  
392 properly submitted within the timeframes set forth in this  
393 paragraph, the permit shall be deemed automatically approved and  
394 the provider may proceed with placement of such facilities  
395 without interference or penalty. The timeframes specified in  
396 subparagraphs 1. and 2. shall be extended only to the extent  
397 that the permit has not been granted or denied because the local  
398 government's procedures require action by the governing body and  
399 such action has not taken place within the timeframes specified  
400 in subparagraphs 1. and 2. Under such circumstances, the local  
401 government must act to either grant or deny the permit at its  
402 next regularly scheduled meeting or, otherwise, the permit shall  
403 be deemed to be automatically approved.

404 c. To be effective, a waiver of the timeframes set forth  
405 herein must be voluntarily agreed to by the applicant and the  
406 local government. A local government may request, but not  
407 require, a waiver of the timeframes by an entity seeking a  
408 permit, except that, with respect to a specific permit, a one-  
409 time waiver may be required in the case of a declared local,  
410 state, or federal emergency that directly affects the  
411 administration of all permitting activities of the local  
412 government.

413 (d) Any additional wireless communications facilities,  
414 such as cables, adjacent accessory structures, or adjacent  
415 accessory equipment used in the provision of cellular, enhanced



HB 1307

2003  
CS

416 specialized mobile radio, or personal communications services,  
417 required within the existing secured equipment compound within  
418 the existing site needed to comply with the federal Phase II  
419 E911 requirements shall be deemed a permitted use or activity.  
420 Local building and land development regulations, including any  
421 aesthetic requirements, shall apply.

422 (e) Any other provision of law to the contrary  
423 notwithstanding, the Department of Management Services shall  
424 negotiate, in the name of the state, leases for wireless  
425 communications facilities that provide access to state-owned  
426 property not acquired for transportation purposes, and the  
427 Department of Transportation shall negotiate, in the name of the  
428 state, leases for wireless communications facilities that  
429 provide access to property acquired for state rights-of-way. On  
430 property acquired for transportation purposes, leases shall be  
431 granted in accordance with s. 337.251. On other state-owned  
432 property, leases shall be granted on a space available, first-  
433 come, first-served basis. Payments required by the state under a  
434 lease or permit must be reasonable and must reflect the market  
435 rate for the use of the state-owned property. The Department of  
436 Management Services and the Department of Transportation are  
437 authorized to adopt rules for the terms and conditions and  
438 granting of any such leases or permits.

439 (f) Any wireless telephone service provider may report to  
440 the board no later than September 1, 2003, the specific  
441 locations or general areas within a county or municipality where  
442 the provider has experienced unreasonable delay to locate  
443 wireless communications facilities necessary to provide the





HB 1307

2003  
CS

444 needed coverage for compliance with federal Phase II E911  
445 requirements using its own network. The provider shall also  
446 provide this information to the specifically identified county  
447 or municipality no later than September 1, 2003. Unless the  
448 board receives no report that unreasonable delays have occurred,  
449 the board shall, no later than September 30, 2003, establish a  
450 subcommittee responsible for developing a balanced approach  
451 between the ability of providers to locate wireless facilities  
452 necessary to comply with federal Phase II E911 requirements  
453 using the carrier's own network and the desire of counties and  
454 municipalities to zone and regulate land uses to achieve public  
455 welfare goals. If a subcommittee is established, it shall  
456 include representatives from the Florida Telecommunications  
457 Industry Association, the Florida Association of Counties, and  
458 the Florida League of Cities. The subcommittee shall be charged  
459 with developing recommendations for the board and any  
460 specifically identified municipality or county to consider  
461 regarding actions to be taken for compliance for federal Phase  
462 II E911 requirements. In the annual report due to the Governor  
463 and the Legislature by February 28, 2004, the board shall  
464 include any recommendations developed by the subcommittee to  
465 address compliance with federal Phase II E911 requirements.

466 Section 2. Paragraph (b) of subsection (2) of section  
467 365.173, Florida Statutes, is amended to read:

468 365.173 Wireless Emergency Telephone System Fund.--

469 (2) Subject to any modifications approved by the board  
470 pursuant to s. 365.172(8)(c), the moneys in the fund shall be  
471 distributed and used only as follows:



HB 1307

2003  
CS

472 (b) Fifty-four percent of the moneys shall be distributed  
473 in response to sworn invoices submitted to the board by  
474 providers to reimburse such providers for the actual costs  
475 incurred to provide 911 or E911 service, including the costs of  
476 complying with the order. Such costs include costs and expenses  
477 incurred by providers to design, purchase, lease, program,  
478 install, test, upgrade, operate, and maintain all necessary  
479 data, hardware, and software required to provide E911 service.  
480 Up to 2 percent of the funds allocated to providers shall be  
481 retained by the board to be applied to costs and expenses  
482 incurred for the purposes of managing, administering, and  
483 overseeing the receipts and disbursements from the fund and  
484 other activities as defined in s. 365.172(6). Any funds retained  
485 for such purposes in a calendar year which are not applied to  
486 such costs and expenses by March 31 of the following year shall  
487 be distributed to providers pursuant to this paragraph.  
488 Beginning in state fiscal year 2000-2001, each provider shall  
489 submit to the board, by August 1 of each year, a detailed  
490 estimate of the capital and operating expenses for which it  
491 anticipates that it will seek reimbursement under this paragraph  
492 during the ensuing state fiscal year. By September 15 of each  
493 year, the board shall submit to the Legislature its legislative  
494 budget request for funds to be allocated to providers under this  
495 paragraph during the ensuing state fiscal year. The budget  
496 request shall be based on the information submitted by the  
497 providers and estimated surcharge revenues. Distributions of  
498 moneys in the fund by the board to providers must be fair and  
499 nondiscriminatory. If the total amount of moneys requested by



500 providers pursuant to invoices submitted to the board and  
 501 approved for payment exceeds the amount in the fund in any  
 502 month, providers that have invoices approved for payment shall  
 503 receive a pro rata share of moneys in the fund and the balance  
 504 of the payments shall be carried over to the following month or  
 505 months until all of the approved payments are made. The board  
 506 may adopt rules necessary to address the manner in which pro  
 507 rata distributions are made when the total amount of funds  
 508 requested by providers pursuant to invoices submitted to the  
 509 board exceeds the total amount of moneys on deposit in the fund.  
 510

511 The Legislature recognizes that the wireless E911 fee authorized  
 512 under s. 365.172 will not necessarily provide the total funding  
 513 required for establishing or providing the 911 service. It is  
 514 the intent of the Legislature that all revenue from the fee be  
 515 used as specified in s. 365.171(13)(a)6.

516 Section 3. Section 365.175, Florida Statutes, is created  
 517 to read:

518 365.175 Emergency Telephone Number 911 Private Branch  
 519 Exchange-Private Switch Automatic Location Identification.--

520 (1) DEFINITIONS.--As used in this section, the term:

521 (a) "Automatic location identification" or "ALI" means the  
 522 automatic display at the Public Safety Answering Point (PSAP) of  
 523 the caller's telephone number, the address or location of the  
 524 telephone, and supplementary emergency services information.

525 (b) "Automatic location identification retrieval" or "ALI  
 526 retrieval" means the process of querying the 9-1-1 database for  
 527 ALI records.



HB 1307

2003  
CS

528           (c) "Automatic number identification" or "ANI" means the  
529 telephone number associated with the access line from which a  
530 call originates.

531           (d) "Private branch exchange" or "PBX" means a private  
532 telephone system that is connected to the Public Switched  
533 Telephone Network (PSTN).

534           (e) "Private switch ALI" or "PSA" means a service option  
535 which provides enhanced 9-1-1 features for telephone stations  
536 behind private switches, e.g., PBX's.

537           (2) REQUIRED ALI CAPABILITY.--Each PBX system installed  
538 after January 1, 2004, must be capable of providing automatic  
539 location identification to the station level.

540           Section 4. This act shall take effect July 1, 2003.

541

542