

By the Committee on Comprehensive Planning; and Senators Margolis and Bullard

316-2614-04

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A bill to be entitled
An act relating to nonemergency
telecommunications systems; amending s.
365.171, F.S.; continuing the authorization for
certain counties to expend moneys derived from
the "911" fee for nonemergency
telecommunications; deleting the limitation
imposed under a pilot project; providing an
effective date.

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

Section 1. Paragraph (a) of subsection (13) of section
365.171, Florida Statutes, is amended to read:

365.171 Emergency telephone number "911."--
(13) "911" FEE.--

(a) Following approval by referendum as set forth in
paragraph (b), or following approval by a majority vote of its
board of county commissioners, a county may impose a "911" fee
to be paid by the local exchange subscribers within its
boundaries served by the "911" service. Proceeds from the
"911" fee shall be used only for "911" expenditures as set
forth in subparagraph 6. The manner of imposing and
collecting said payment shall be as follows:

1. At the request of the county subscribing to "911"
service, the telephone company shall, insofar as is
practicable, bill the "911" fee to the local exchange
subscribers served by the "911" service, on an individual
access line basis, at a rate not to exceed 50 cents per month
per line (up to a maximum of 25 access lines per account bill
rendered). However, the fee may not be assessed on any pay

1 telephone in this state. A county collecting the fee for the
2 first time may collect the fee for no longer than 36 months
3 without initiating the acquisition of its "911" equipment.

4 2. Fees collected by the telephone company pursuant to
5 subparagraph 1. shall be returned to the county, less the
6 costs of administration retained pursuant to paragraph (c).
7 The county shall provide a minimum of 90 days' written notice
8 to the telephone company prior to the collection of any "911"
9 fees.

10 3. Any county that currently has an operational "911"
11 system or that is actively pursuing the implementation of a
12 "911" system shall establish a fund to be used exclusively for
13 receipt and expenditure of "911" fee revenues collected
14 pursuant to this section. All fees placed in said fund, and
15 any interest accrued thereupon, shall be used solely for "911"
16 costs described in subparagraph 6. The money collected and
17 interest earned in this fund shall be appropriated for "911"
18 purposes by the county commissioners and incorporated into the
19 annual county budget. Such fund shall be included within the
20 financial audit performed in accordance with s. 218.39. A
21 report of the audit shall be forwarded to the office within 60
22 days of its completion. A county may carry forward on an
23 annual basis unspent moneys in the fund for expenditures
24 allowed by this section, or it may reduce its fee. However, in
25 no event shall a county carry forward more than 10 percent of
26 the "911" fee billed for the prior year. The amount of moneys
27 carried forward each year may be accumulated in order to allow
28 for capital improvements described in this subsection. The
29 carryover shall be documented by resolution of the board of
30 county commissioners expressing the purpose of the carryover
31 or by an adopted capital improvement program identifying

1 projected expansion or replacement expenditures for "911"
2 equipment and service features, or both. In no event shall the
3 "911" fee carryover surplus moneys be used for any purpose
4 other than for the "911" equipment, service features, and
5 installation charges authorized in subparagraph 6. Nothing in
6 this section shall prohibit a county from using other sources
7 of revenue for improvements, replacements, or expansions of
8 its "911" system. A county may increase its fee for purposes
9 authorized in this section. However, in no case shall the fee
10 exceed 50 cents per month per line. All current "911" fees
11 shall be reported to the office within 30 days of the start of
12 each county's fiscal period. Any fee adjustment made by a
13 county shall be reported to the office. A county shall give
14 the telephone company a 90-day written notice of such fee
15 adjustment.

16 4. The telephone company shall have no obligation to
17 take any legal action to enforce collection of the "911" fee.
18 The telephone company shall provide quarterly to the county a
19 list of the names, addresses, and telephone numbers of any and
20 all subscribers who have identified to the telephone company
21 their refusal to pay the "911" fee.

22 5. The county subscribing to "911" service shall
23 remain liable to the telephone company for any "911" service,
24 equipment, operation, or maintenance charge owed by the county
25 to the telephone company.

26
27 As used in this paragraph, "telephone company" means an
28 exchange telephone service provider of "911" service or
29 equipment to any county within its certificated area.

30 6. It is the intent of the Legislature that the "911"
31 fee authorized by this section to be imposed by counties will

1 not necessarily provide the total funding required for
2 establishing or providing the "911" service. For purposes of
3 this section, "911" service includes the functions of database
4 management, call taking, location verification, and call
5 transfer. The following costs directly attributable to the
6 establishment and/or provision of "911" service are eligible
7 for expenditure of moneys derived from imposition of the "911"
8 fee authorized by this section: the acquisition,
9 implementation, and maintenance of Public Safety Answering
10 Point (PSAP) equipment and "911" service features, as defined
11 in the Florida Public Service Commission's lawfully approved
12 "911" and related tariffs and/or the acquisition,
13 installation, and maintenance of other "911" equipment,
14 including call answering equipment, call transfer equipment,
15 ANI controllers, ALI controllers, ANI displays, ALI displays,
16 station instruments, "911" telecommunications systems,
17 teleprinters, logging recorders, instant playback recorders,
18 telephone devices for the deaf (TDD) used in the "911" system,
19 PSAP backup power systems, consoles, automatic call
20 distributors, and interfaces (hardware and software) for
21 computer-aided dispatch (CAD) systems; salary and associated
22 expenses for "911" call takers for that portion of their time
23 spent taking and transferring "911" calls; salary and
24 associated expenses for a county to employ a full-time
25 equivalent "911" coordinator position and a full-time
26 equivalent staff assistant position per county for the portion
27 of their time spent administrating the "911" system; training
28 costs for PSAP call takers in the proper methods and
29 techniques used in taking and transferring "911" calls;
30 expenses required to develop and maintain all information (ALI
31 and ANI databases and other information source repositories)

1 necessary to properly inform call takers as to location
2 address, type of emergency, and other information directly
3 relevant to the "911" call-taking and transferring function;
4 and, in a county defined in s. 125.011(1), such expenses
5 related to a nonemergency "311" system, or similar
6 nonemergency system, which improves the overall efficiency of
7 an existing "911" system or reduces "911" emergency response
8 time for a ~~2-year~~ pilot project that ends June 30, 2009 ~~2003~~.
9 However, no wireless telephone service provider shall be
10 required to participate in this pilot project or to otherwise
11 implement a nonemergency "311" system or similar nonemergency
12 system. The "911" fee revenues shall not be used to pay for
13 any item not listed, including, but not limited to, any
14 capital or operational costs for emergency responses which
15 occur after the call transfer to the responding public safety
16 entity and the costs for constructing buildings, leasing
17 buildings, maintaining buildings, or renovating buildings,
18 except for those building modifications necessary to maintain
19 the security and environmental integrity of the PSAP and "911"
20 equipment rooms.

21 7. It is the goal of the Legislature that enhanced
22 "911" service be available throughout the state. Expenditure
23 by counties of the "911" fees authorized by this section
24 should support this goal to the greatest extent feasible
25 within the context of local service needs and fiscal
26 capability. Nothing in this section shall be construed to
27 prohibit two or more counties from establishing a combined
28 emergency "911" telephone service by interlocal agreement and
29 utilizing the "911" fees authorized by this section for such
30 combined "911" service.

31 Section 2. This act shall take effect July 1, 2004.

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
Senate Bill 1628

This CS differs from the bill as filed in that instead of deleting the repeal date on the 2-year-pilot-project on non-emergency telecommunication expenses that may be charged to the "911" fee imposed by Miami-Dade County, it delays the repeal date until June 30, 2009.