

Bill No. CS for SB 2322

Amendment No. ____ Barcode 924908

CHAMBER ACTION

Senate

House

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Senator Margolis moved the following amendment:

Senate Amendment (with title amendment)

On page 9, between lines 9 & 10,

insert:

Section 7. 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

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1 subscribers served by the "911" service, on an individual
2 access line basis, at a rate not to exceed 50 cents per month
3 per line (up to a maximum of 25 access lines per account bill
4 rendered). However, the fee may not be assessed on any pay
5 telephone in this state. A county collecting the fee for the
6 first time may collect the fee for no longer than 36 months
7 without initiating the acquisition of its "911" equipment.

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

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

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

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

26 5. The county subscribing to "911" service shall
27 remain liable to the telephone company for any "911" service,
28 equipment, operation, or maintenance charge owed by the county
29 to the telephone company.

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31 As used in this paragraph, "telephone company" means an

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1 exchange telephone service provider of "911" service or
2 equipment to any county within its certificated area.

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

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

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

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1 emergency "911" telephone service by interlocal agreement and
2 utilizing the "911" fees authorized by this section for such
3 combined "911" service.

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5 (Redesignate subsequent sections.)

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8 ===== T I T L E A M E N D M E N T =====

9 And the title is amended as follows:

10 On page 1, line 19, after the second semicolon ";"

11

12 insert:

13 amending s. 365.171, F.S.; continuing the
14 authorization for certain counties to expend
15 moneys derived from the "911" fee for
16 nonemergency telecommunications; deleting the
17 limitation imposed under a pilot project;

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