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1 A bill to be entitled
2 An act relating to telecommunications services; amending
3 s. 365.171, F.S.; providing for the Public Service
4 Commission to adopt rules to encourage provision of 311
5 service; revising provisions for expenditure of the 911
6 fee; revising application of certain provisions; revising
7 a timeframe for a pilot project; providing for a task
8 force to be appointed by the Governor to review technology
9 and system enhancements; providing an effective date.

10

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

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13 Section 1. Subsection (8) and paragraph (a) of subsection
14 (13) of section 365.171, Florida Statutes, are amended to read:

15 365.171 Emergency telephone number "911."--

16 (8) COIN TELEPHONES.--The Florida Public Service
17 Commission shall establish rules to be followed by the telephone
18 utilities in this state designed toward encouraging the
19 provision of coin-free dialing of "911" calls and paid calls of
20 "311" wherever economically practicable and in the public
21 interest.

22 (13) "911" FEE.--

23 (a) Following approval by referendum as set forth in
24 paragraph (b), or following approval by a majority vote of its
25 board of county commissioners, a county may impose a "911" fee
26 to be paid by the local exchange subscribers within its
27 boundaries served by the "911" service. Proceeds from the "911"
28 fee shall be used only for "911" expenditures as set forth in

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29 | subparagraph 6. The manner of imposing and collecting said
30 | payment shall be as follows:

31 | 1. At the request of the county subscribing to "911"
32 | service, the telephone company shall, insofar as is practicable,
33 | bill the "911" fee to the local exchange subscribers served by
34 | the "911" service, on an individual access line basis, at a rate
35 | not to exceed 50 cents per month per line (up to a maximum of 25
36 | access lines per account bill rendered). However, the fee may
37 | not be assessed on any pay telephone in this state. A county
38 | collecting the fee for the first time may collect the fee for no
39 | longer than 36 months without initiating the acquisition of its
40 | "911" equipment.

41 | 2. Fees collected by the telephone company pursuant to
42 | subparagraph 1. shall be returned to the county, less the costs
43 | of administration retained pursuant to paragraph (c). The county
44 | shall provide a minimum of 90 days' written notice to the
45 | telephone company prior to the collection of any "911" fees.

46 | 3. Any county that currently has an operational "911"
47 | system or that is actively pursuing the implementation of a
48 | "911" system shall establish a fund to be used exclusively for
49 | receipt and expenditure of "911" fee revenues collected pursuant
50 | to this section. All fees placed in said fund, and any interest
51 | accrued thereupon, shall be used solely for "911" costs
52 | described in subparagraph 6. The money collected and interest
53 | earned in this fund shall be appropriated for "911" purposes by
54 | the county commissioners and incorporated into the annual county
55 | budget. Such fund shall be included within the financial audit
56 | performed in accordance with s. 218.39. A report of the audit

57 shall be forwarded to the office within 60 days of its
58 completion. A county may carry forward on an annual basis
59 unspent moneys in the fund for expenditures allowed by this
60 section, or it may reduce its fee. However, in no event shall a
61 county carry forward more than 10 percent of the "911" fee
62 billed for the prior year. The amount of moneys carried forward
63 each year may be accumulated in order to allow for capital
64 improvements described in this subsection. The carryover shall
65 be documented by resolution of the board of county commissioners
66 expressing the purpose of the carryover or by an adopted capital
67 improvement program identifying projected expansion or
68 replacement expenditures for "911" equipment and service
69 features, or both. In no event shall the "911" fee carryover
70 surplus moneys be used for any purpose other than for the "911"
71 equipment, service features, and installation charges authorized
72 in subparagraph 6. Nothing in this section shall prohibit a
73 county from using other sources of revenue for improvements,
74 replacements, or expansions of its "911" system. A county may
75 increase its fee for purposes authorized in this section.
76 However, in no case shall the fee exceed 50 cents per month per
77 line. All current "911" fees shall be reported to the office
78 within 30 days of the start of each county's fiscal period. Any
79 fee adjustment made by a county shall be reported to the office.
80 A county shall give the telephone company a 90-day written
81 notice of such fee adjustment.

82 4. The telephone company shall have no obligation to take
83 any legal action to enforce collection of the "911" fee. The
84 telephone company shall provide quarterly to the county a list

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85 of the names, addresses, and telephone numbers of any and all
86 subscribers who have identified to the telephone company their
87 refusal to pay the "911" fee.

88 5. The county subscribing to "911" service shall remain
89 liable to the telephone company for any "911" service,
90 equipment, operation, or maintenance charge owed by the county
91 to the telephone company.

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93 As used in this paragraph, "telephone company" means an exchange
94 telephone service provider of "911" service or equipment to any
95 county within its certificated area.

96 6. It is the intent of the Legislature that the "911" fee
97 authorized by this section to be imposed by counties will not
98 necessarily provide the total funding required for establishing
99 or providing the "911" service. For purposes of this section,
100 "911" service includes the functions of database management,
101 call taking, location verification, and call transfer. The
102 following costs directly attributable to the establishment
103 and/or provision of "911" service are eligible for expenditure
104 of moneys derived from imposition of the "911" fee authorized by
105 this section: the acquisition, implementation, and maintenance
106 of Public Safety Answering Point (PSAP) equipment and "911"
107 service features, as defined in the Florida Public Service
108 Commission's lawfully approved "911" and related tariffs and/or
109 the acquisition, installation, and maintenance of other "911"
110 equipment, including call answering equipment, call transfer
111 equipment, ANI controllers, ALI controllers, ANI displays, ALI
112 displays, station instruments, "911" telecommunications systems,

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113 teleprinters, logging recorders, instant playback recorders,
114 telephone devices for the deaf (TDD) used in the "911" system,
115 PSAP backup power systems, consoles, automatic call
116 distributors, and interfaces (hardware and software) for
117 computer-aided dispatch (CAD) systems; salary and associated
118 expenses for "911" call takers for that portion of their time
119 spent taking and transferring "911" calls; salary and associated
120 expenses for a county to employ a full-time equivalent "911"
121 coordinator position and a full-time equivalent staff assistant
122 position per county for the portion of their time spent
123 administrating the "911" system; training costs for PSAP call
124 takers in the proper methods and techniques used in taking and
125 transferring "911" calls; expenses required to develop and
126 maintain all information (ALI and ANI databases and other
127 information source repositories) necessary to properly inform
128 call takers as to location address, type of emergency, and other
129 information directly relevant to the "911" call-taking and
130 transferring function; other expenses that improve the overall
131 call-taking efficiency of an existing "911" system or reduce
132 "911" emergency call processing time; and, in a county with a
133 population exceeding 750,000 defined in s. 125.011(1), such
134 expenses related to a nonemergency "311" system, ~~or similar~~
135 ~~nonemergency system~~, which improves the overall call-taking
136 efficiency of an existing "911" system or reduces "911" call
137 processing emergency response time for a 2-year pilot project
138 that ends June 30, 2006 ~~2003~~. However, no wireless telephone
139 service provider shall be required to participate in this pilot
140 project or to otherwise implement a nonemergency "311" system or

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141 similar nonemergency system. The "911" fee revenues shall not be
142 used to pay for any item not listed, including, but not limited
143 to, any capital or operational costs for emergency responses
144 which occur after the call transfer to the responding public
145 safety entity and the costs for constructing buildings, leasing
146 buildings, maintaining buildings, or renovating buildings,
147 except for those building modifications necessary to maintain
148 the security and environmental integrity of the PSAP and "911"
149 equipment rooms. The Governor shall appoint a task force,
150 consisting of members from existing "911" operations centers and
151 "911" coordinators, local government, and industry
152 representatives as nonvoting members, to review the latest
153 enhancements in technology or systems with the potential to
154 improve the overall efficiency of an existing "911" system or
155 reduce "911" call processing times.

156 7. It is the goal of the Legislature that enhanced "911"
157 service be available throughout the state. Expenditure by
158 counties of the "911" fees authorized by this section should
159 support this goal to the greatest extent feasible within the
160 context of local service needs and fiscal capability. Nothing in
161 this section shall be construed to prohibit two or more counties
162 from establishing a combined emergency "911" telephone service
163 by interlocal agreement and utilizing the "911" fees authorized
164 by this section for such combined "911" service.

165 Section 2. This act shall take effect upon becoming a law.