



- 1           (a) The wireless account; and  
2           (b) The nonwireless account.~~and~~

3  
4 All moneys must be invested by the Chief Financial Officer  
5 pursuant to s. 17.61. All moneys in such fund are to be  
6 expended by the ~~State Technology~~ office for the purposes  
7 provided in this section and s. 365.172. These funds are not  
8 subject to s. 215.20.

9           (2) As determined by the board pursuant to s.  
10 365.172(8)(h), and subject to any modifications approved by  
11 the board pursuant to s. 365.172(6)(a)3. ~~or(8)(i)(8)(e),~~ the  
12 moneys in the fund shall be distributed and used only as  
13 follows:

14           (a) ~~Sixty-seven~~ Forty-four percent of the moneys in  
15 the wireless account shall be distributed each month to  
16 counties, based on the total number of service identifiers  
17 ~~wireless subscriber billing addresses~~ in each county, and  
18 shall be used exclusively for payment of:

19           1. Authorized expenditures ~~Recurring costs of~~  
20 ~~providing 911 or E911 service,~~ as specified in s. 365.172(9)  
21 ~~provided by s. 365.171(13)(a)6.~~

22           2. Costs to comply with the requirements for E911  
23 service contained in the order and any future rules related to  
24 the order.

25           (b) Ninety-seven percent of the moneys in the  
26 nonwireless account shall be distributed each month to  
27 counties based on the total number of service identifiers in  
28 each county, and shall be used exclusively for payment of  
29 authorized expenditures, as specified in s. 365.172(9).

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1 Any county that receives funds under paragraphs (a) and (b)  
2 ~~this paragraph~~ shall establish a fund to be used exclusively  
3 for the receipt and expenditure of the revenues collected  
4 under paragraphs (a) and (b) ~~this paragraph~~. All fees placed  
5 in the fund and any interest accrued shall be used solely for  
6 costs described in subparagraphs 1. and 2. The money collected  
7 and interest earned in this fund shall be appropriated for  
8 these purposes by the county commissioners and incorporated  
9 into the annual county budget. The fund shall be included  
10 within the financial audit performed in accordance with s.  
11 218.39. A county may carry forward up to 20 ~~30~~ percent of the  
12 total funds disbursed to the county by the board during a  
13 calendar year for expenditures for capital outlay, capital  
14 improvements, or equipment replacement, if such expenditures  
15 are made for the purposes specified in subparagraphs 1. and  
16 2.; however, the 20-percent limitation does not apply to funds  
17 disbursed to a county under s. 365.172(6)(a)3., and a county  
18 may carry forward any percentage of the funds, except that any  
19 grant provided shall continue to be subject to any condition  
20 imposed by the board ~~this paragraph~~.

21 ~~(c)(b)~~ Thirty ~~Fifty four~~ percent of the moneys in the  
22 wireless account shall be distributed to wireless providers in  
23 response to sworn invoices submitted to the board by wireless  
24 providers to reimburse such wireless providers for the actual  
25 costs incurred to provide 911 or E911 service, including the  
26 costs of complying with the order. Such costs include costs  
27 and expenses incurred by wireless providers to design,  
28 purchase, lease, program, install, test, upgrade, operate, and  
29 maintain all necessary data, hardware, and software required  
30 to provide E911 service. ~~Up to 2 percent of the funds~~  
31 ~~allocated to providers shall be retained by the board to be~~

1 ~~applied to costs and expenses incurred for the purposes of~~  
2 ~~managing, administering, and overseeing the receipts and~~  
3 ~~disbursements from the fund and other activities as defined in~~  
4 ~~s. 365.172(6). Any funds retained for such purposes in a~~  
5 ~~calendar year which are not applied to such costs and expenses~~  
6 ~~by March 31 of the following year shall be distributed to~~  
7 ~~providers pursuant to this paragraph.~~ Each wireless provider  
8 shall submit to the board, by August 1 of each year, a  
9 detailed estimate of the capital and operating expenses for  
10 which it anticipates that it will seek reimbursement under  
11 this paragraph during the ensuing state fiscal year. By  
12 September 15 of each year, the board shall submit to the  
13 Legislature its legislative budget request for funds to be  
14 allocated to wireless providers under this paragraph during  
15 the ensuing state fiscal year. The budget request shall be  
16 based on the information submitted by the wireless providers  
17 and estimated surcharge revenues. Distributions of moneys in  
18 the fund by the board to wireless providers must be fair and  
19 nondiscriminatory. If the total amount of moneys requested by  
20 wireless providers pursuant to invoices submitted to the board  
21 and approved for payment exceeds the amount in the fund in any  
22 month, wireless providers that have invoices approved for  
23 payment shall receive a pro rata share of moneys in the fund  
24 and the balance of the payments shall be carried over to the  
25 following month or months until all of the approved payments  
26 are made. The board may adopt rules necessary to address the  
27 manner in which pro rata distributions are made when the total  
28 amount of funds requested by wireless providers pursuant to  
29 invoices submitted to the board exceeds the total amount of  
30 moneys on deposit in the fund.

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1           (d) One percent of the moneys in the fund shall be  
2 retained by the board to be applied to costs and expenses  
3 incurred for the purposes of managing, administering, and  
4 overseeing the receipts and disbursements from the fund and  
5 other activities as defined in s. 365.172(6). Any funds  
6 retained for such purposes in a calendar year which are not  
7 applied to such costs and expenses by March 31 of the  
8 following year shall be redistributed as determined by the  
9 board.

10           ~~(e)(e)~~ Two percent of the moneys in the fund shall be  
11 used to make monthly distributions to rural counties for the  
12 purpose of providing facilities and network and service  
13 enhancements and assistance for the 911 or E911 systems  
14 operated by rural counties and for the provision of  
15 ~~reimbursable loans and~~ grants by the office to rural counties  
16 for upgrading and replacing E911 ~~911~~ systems.

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18 The Legislature recognizes that the ~~wireless E911~~ fee  
19 authorized under s. 365.172 ~~may will~~ not necessarily provide  
20 the total funding required for establishing or providing the  
21 E911 ~~911~~ service. It is the intent of the Legislature that all  
22 revenue from the fee be used as specified in this subsection  
23 ~~s. 365.171(13)(a)6.~~

24           ~~(3) Through fiscal year 2008-2009,~~ The Auditor General  
25 shall annually audit the fund to ensure that moneys in the  
26 fund are being managed in accordance with this section and s.  
27 365.172. The Auditor General shall provide a report of the  
28 annual audit to the board.

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

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SENATE SUMMARY

Redesignates the Wireless Emergency Telephone System Fund as the "Emergency Communications Number E911 System Fund." Requires that all revenues derived from a fee levied by a county on local exchange subscribers be paid into the State Treasury by a specified date and that the moneys be accounted for in a special fund. Provides a methodology for the distribution of the funds. Requires the Auditor General to annually audit the fund.