

1                                   A bill to be entitled  
 2           An act relating to E911 systems; amending s. 365.172,  
 3           F.S.; revising applicability of definitions; creating  
 4           s. 365.176, F.S.; requiring the Technology Program  
 5           within the Department of Management Services to  
 6           develop a plan to upgrade 911 public safety answer  
 7           points to allow the transfer of emergency calls from  
 8           one E911 system to another one in the state; providing  
 9           duties relating to the development of such plan;  
 10          providing an appropriation; providing an effective  
 11          date.

12  
 13 Be It Enacted by the Legislature of the State of Florida:  
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15           Section 1. Subsection (3) of section 365.172, Florida  
 16 Statutes, is amended to read:

17           365.172 Emergency communications number "E911."—

18           (3) DEFINITIONS.—Only as used in this section and ss.  
 19 365.171, 365.173, ~~and~~ 365.174, and 365.176, the term:

20           (a) "Authorized expenditures" means expenditures of the  
 21 fee, as specified in subsection (10).

22           (b) "Automatic location identification" means the  
 23 capability of the E911 service which enables the automatic  
 24 display of information that defines the approximate geographic  
 25 location of the wireless telephone, or the location of the

26 | address of the wireline telephone, used to place a 911 call.

27 |       (c) "Automatic number identification" means the capability  
28 | of the E911 service which enables the automatic display of the  
29 | service number used to place a 911 call.

30 |       (d) "Board" or "E911 Board" means the board of directors  
31 | of the E911 Board established in subsection (5).

32 |       (e) "Building permit review" means a review for compliance  
33 | with building construction standards adopted by the local  
34 | government under chapter 553 and does not include a review for  
35 | compliance with land development regulations.

36 |       (f) "Collocation" means the situation when a second or  
37 | subsequent wireless provider uses an existing structure to  
38 | locate a second or subsequent antennae. The term includes the  
39 | ground, platform, or roof installation of equipment enclosures,  
40 | cabinets, or buildings, and cables, brackets, and other  
41 | equipment associated with the location and operation of the  
42 | antennae.

43 |       (g) "Designed service" means the configuration and manner  
44 | of deployment of service the wireless provider has designed for  
45 | an area as part of its network.

46 |       (h) "Enhanced 911" or "E911" means an enhanced 911 system  
47 | or enhanced 911 service that is an emergency telephone system or  
48 | service that provides a subscriber with 911 service and, in  
49 | addition, directs 911 calls to appropriate public safety  
50 | answering points by selective routing based on the geographical

51 location from which the call originated, or as otherwise  
52 provided in the state plan under s. 365.171, and that provides  
53 for automatic number identification and automatic location-  
54 identification features. E911 service provided by a wireless  
55 provider means E911 as defined in the order.

56 (i) "Existing structure" means a structure that exists at  
57 the time an application for permission to place antennae on a  
58 structure is filed with a local government. The term includes  
59 any structure that can structurally support the attachment of  
60 antennae in compliance with applicable codes.

61 (j) "Fee" means the E911 fee authorized and imposed under  
62 subsections (8) and (9).

63 (k) "Fund" means the Emergency Communications Number E911  
64 System Fund established in s. 365.173 and maintained under this  
65 section for the purpose of recovering the costs associated with  
66 providing 911 service or E911 service, including the costs of  
67 implementing the order. The fund shall be segregated into  
68 wireless, prepaid wireless, and nonwireless categories.

69 (l) "Historic building, structure, site, object, or  
70 district" means any building, structure, site, object, or  
71 district that has been officially designated as a historic  
72 building, historic structure, historic site, historic object, or  
73 historic district through a federal, state, or local designation  
74 program.

75 (m) "Land development regulations" means any ordinance

76 | enacted by a local government for the regulation of any aspect  
77 | of development, including an ordinance governing zoning,  
78 | subdivisions, landscaping, tree protection, or signs, the local  
79 | government's comprehensive plan, or any other ordinance  
80 | concerning any aspect of the development of land. The term does  
81 | not include any building construction standard adopted under and  
82 | in compliance with chapter 553.

83 |       (n) "Local exchange carrier" means a "competitive local  
84 | exchange telecommunications company" or a "local exchange  
85 | telecommunications company" as defined in s. 364.02.

86 |       (o) "Local government" means any municipality, county, or  
87 | political subdivision or agency of a municipality, county, or  
88 | political subdivision.

89 |       (p) "Medium county" means any county that has a population  
90 | of 75,000 or more but less than 750,000.

91 |       (q) "Mobile telephone number" or "MTN" means the telephone  
92 | number assigned to a wireless telephone at the time of initial  
93 | activation.

94 |       (r) "Nonwireless category" means the revenues to the fund  
95 | received from voice communications services providers other than  
96 | wireless providers.

97 |       (s) "Office" means the Technology Program within the  
98 | Department of Management Services, as designated by the  
99 | secretary of the department.

100 |       (t) "Order" means:

101           1. The following orders and rules of the Federal  
 102   Communications Commission issued in FCC Docket No. 94-102:  
 103           a. Order adopted on June 12, 1996, with an effective date  
 104   of October 1, 1996, the amendments to s. 20.03 and the creation  
 105   of s. 20.18 of Title 47 of the Code of Federal Regulations  
 106   adopted by the Federal Communications Commission pursuant to  
 107   such order.  
 108           b. Memorandum and Order No. FCC 97-402 adopted on December  
 109   23, 1997.  
 110           c. Order No. FCC DA 98-2323 adopted on November 13, 1998.  
 111           d. Order No. FCC 98-345 adopted December 31, 1998.  
 112           2. Orders and rules subsequently adopted by the Federal  
 113   Communications Commission relating to the provision of 911  
 114   services, including Order Number FCC-05-116, adopted May 19,  
 115   2005.  
 116           (u) "Prepaid wireless category" means all revenues in the  
 117   fund received through the Department of Revenue from the fee  
 118   authorized and imposed under subsection (9).  
 119           (v) "Prepaid wireless service" means a right to access  
 120   wireless service that allows a caller to contact and interact  
 121   with 911 to access the 911 system, which service must be paid  
 122   for in advance and is sold in predetermined units or dollars,  
 123   which units or dollars expire on a predetermined schedule or are  
 124   decremented on a predetermined basis in exchange for the right  
 125   to access wireless service.

126 (w) "Public agency" means the state and any municipality,  
127 county, municipal corporation, or other governmental entity,  
128 public district, or public authority located in whole or in part  
129 within this state which provides, or has authority to provide,  
130 firefighting, law enforcement, ambulance, medical, or other  
131 emergency services.

132 (x) "Public safety agency" means a functional division of  
133 a public agency which provides firefighting, law enforcement,  
134 medical, or other emergency services.

135 (y) "Public safety answering point," "PSAP," or "answering  
136 point" means the public safety agency that receives incoming 911  
137 requests for assistance and dispatches appropriate public safety  
138 agencies to respond to the requests in accordance with the state  
139 E911 plan.

140 (z) "Rural county" means any county that has a population  
141 of fewer than 75,000.

142 (aa) "Service identifier" means the service number, access  
143 line, or other unique identifier assigned to a subscriber and  
144 established by the Federal Communications Commission for  
145 purposes of routing calls whereby the subscriber has access to  
146 the E911 system.

147 (bb) "Tower" means any structure designed primarily to  
148 support a wireless provider's antennae.

149 (cc) "Voice communications services" means two-way voice  
150 service, through the use of any technology, which actually

151 provides access to E911 services, and includes communications  
152 services, as defined in s. 202.11, which actually provide access  
153 to E911 services and which are required to be included in the  
154 provision of E911 services pursuant to orders and rules adopted  
155 by the Federal Communications Commission. The term includes  
156 voice-over-Internet-protocol service. For the purposes of this  
157 section, the term "voice-over-Internet-protocol service" or  
158 "VoIP service" means interconnected VoIP services having the  
159 following characteristics:

- 160 1. The service enables real-time, two-way voice  
161 communications;
- 162 2. The service requires a broadband connection from the  
163 user's locations;
- 164 3. The service requires IP-compatible customer premises  
165 equipment; and
- 166 4. The service offering allows users generally to receive  
167 calls that originate on the public switched telephone network  
168 and to terminate calls on the public switched telephone network.

169 (dd) "Voice communications services provider" or  
170 "provider" means any person or entity providing voice  
171 communications services, except that the term does not include  
172 any person or entity that resells voice communications services  
173 and was assessed the fee authorized and imposed under subsection  
174 (8) by its resale supplier.

175 (ee) "Wireless 911 system" or "wireless 911 service" means

176 an emergency telephone system or service that provides a  
177 subscriber with the ability to reach an answering point by  
178 accessing the digits 911.

179 (ff) "Wireless category" means the revenues to the fund  
180 received from a wireless provider from the fee authorized and  
181 imposed under subsection (8).

182 (gg) "Wireless communications facility" means any  
183 equipment or facility used to provide service and may include,  
184 but is not limited to, antennae, towers, equipment enclosures,  
185 cabling, antenna brackets, and other such equipment. Placing a  
186 wireless communications facility on an existing structure does  
187 not cause the existing structure to become a wireless  
188 communications facility.

189 (hh) "Wireless provider" means a person who provides  
190 wireless service and:

- 191 1. Is subject to the requirements of the order; or
- 192 2. Elects to provide wireless 911 service or E911 service  
193 in this state.

194 (ii) "Wireless service" means "commercial mobile radio  
195 service" as provided under ss. 3(27) and 332(d) of the Federal  
196 Telecommunications Act of 1996, 47 U.S.C. ss. 151 et seq., and  
197 the Omnibus Budget Reconciliation Act of 1993, Pub. L. No. 103-  
198 66, August 10, 1993, 107 Stat. 312. The term includes service  
199 provided by any wireless real-time two-way wire communication  
200 device, including radio-telephone communications used in



201 cellular telephone service; personal communications service; or  
202 the functional or competitive equivalent of a radio-telephone  
203 communications line used in cellular telephone service, a  
204 personal communications service, or a network radio access line.  
205 The term does not include wireless providers that offer mainly  
206 dispatch service in a more localized, noncellular configuration;  
207 providers offering only data, one-way, or stored-voice services  
208 on an interconnected basis; providers of air-to-ground services;  
209 or public coast stations.

210 Section 2. Section 365.176, Florida Statutes, is created  
211 to read:

212 365.176 Transfer of E911 calls between systems.—

213 (1) The office shall develop a plan by February 1, 2019,  
214 to upgrade 911 public safety answering points within the state  
215 to allow the transfer of an emergency call from one local,  
216 multijurisdictional, or regional E911 system to another local,  
217 multijurisdictional, or regional E911 system in the state. Such  
218 transfer should include, but not be limited to, voice, text  
219 message, image, video, caller identification information,  
220 location information, and additional standards-based 911 call  
221 information.

222 (2) In developing the plan, the office shall:

223 (a) Coordinate with public agencies to identify and  
224 resolve any technological or logistical issues pertaining to  
225 this section.

226        (b) Identify or establish a system or clearinghouse for  
227 maintaining contact information for all E911 systems in the  
228 state.

229        (c) For both a regionally phased and statewide approach,  
230 establish a date, considering any technological, logistical,  
231 financial, or other identified issues, by when all E911 systems  
232 in the state must be able to transfer emergency calls pursuant  
233 to subsection (1).

234        Section 3. For the 2018-2019 fiscal year, the sum of  
235 \$200,000 in nonrecurring funds is appropriated from the  
236 Emergency Communications Number E911 System Trust Fund to the  
237 Department of Management Services to implement this act.

238        Section 4. This act shall take effect July 1, 2018.