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Proposed Committee Substitute by the Committee on Appropriations
(Appropriations Subcommittee on General Government)

A bill to be entitled

An act relating to 911 services; amending s. 365.172, F.S.; requiring counties to develop a plan for implementing a text-to-911 system and implement a system to receive E911 text messages by a specified date; creating s. 365.176, F.S.; requiring that the Technology Program within the Department of Management Services develop and implement a plan to require that emergency dispatchers be able to transfer an emergency call from one E911 system to another E911 system in the state; amending s. 365.172, F.S.; revising the applicability of definitions; providing a declaration of important state interest; providing an effective date.

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

Section 1. Subsection (15) of section 365.172, Florida Statutes, is renumbered as subsection (16), and a new subsection (15) is added to that section, to read:

365.172 Emergency communications number "E911."—

(15) TEXT-TO-911 SERVICE.—Each county shall develop a countywide implementation plan for text-to-911 services and, by January 1, 2021, have in place a system to receive E911 text messages from providers.

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



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28 365.176 Transfer of E911 calls between systems.-

29 (1) The office shall develop and implement a plan by
30 January 1, 2019, to require that a 911 public safety
31 telecommunicator, when prudent and requested by a caller or when
32 necessary, be able to transfer an emergency call from one local,
33 multijurisdictional, or regional E911 system to another local,
34 multijurisdictional, or regional E911 system in the state.

35 (2) In developing and implementing this plan, the office
36 shall:

37 (a) Coordinate with public agencies to identify and resolve
38 any technological or logistical issues in implementing this
39 section.

40 (b) Identify or establish a system or clearinghouse for
41 maintaining contact information for all E911 systems in the
42 state.

43 (c) Establish a date, considering any technological,
44 logistical, financial, or other identified issues, by when all
45 E911 systems in the state must be able to transfer emergency
46 calls pursuant to subsection (1).

47 Section 3. Subsection (3) of section 365.172, Florida
48 Statutes, is amended to read:

49 365.172 Emergency communications number "E911."-

50 (3) DEFINITIONS.-Only as used in this section and ss.
51 365.171, 365.173, ~~and~~ 365.174, and 365.176, the term:

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

54 (b) "Automatic location identification" means the
55 capability of the E911 service which enables the automatic
56 display of information that defines the approximate geographic



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57 location of the wireless telephone, or the location of the
58 address of the wireline telephone, used to place a 911 call.

59 (c) "Automatic number identification" means the capability
60 of the E911 service which enables the automatic display of the
61 service number used to place a 911 call.

62 (d) "Board" or "E911 Board" means the board of directors of
63 the E911 Board established in subsection (5).

64 (e) "Building permit review" means a review for compliance
65 with building construction standards adopted by the local
66 government under chapter 553 and does not include a review for
67 compliance with land development regulations.

68 (f) "Collocation" means the situation when a second or
69 subsequent wireless provider uses an existing structure to
70 locate a second or subsequent antennae. The term includes the
71 ground, platform, or roof installation of equipment enclosures,
72 cabinets, or buildings, and cables, brackets, and other
73 equipment associated with the location and operation of the
74 antennae.

75 (g) "Designed service" means the configuration and manner
76 of deployment of service the wireless provider has designed for
77 an area as part of its network.

78 (h) "Enhanced 911" or "E911" means an enhanced 911 system
79 or enhanced 911 service that is an emergency telephone system or
80 service that provides a subscriber with 911 service and, in
81 addition, directs 911 calls to appropriate public safety
82 answering points by selective routing based on the geographical
83 location from which the call originated, or as otherwise
84 provided in the state plan under s. 365.171, and that provides
85 for automatic number identification and automatic location-



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86 identification features. E911 service provided by a wireless
87 provider means E911 as defined in the order.

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

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

95 (k) "Fund" means the Emergency Communications Number E911
96 System Fund established in s. 365.173 and maintained under this
97 section for the purpose of recovering the costs associated with
98 providing 911 service or E911 service, including the costs of
99 implementing the order. The fund shall be segregated into
100 wireless, prepaid wireless, and nonwireless categories.

101 (l) "Historic building, structure, site, object, or
102 district" means any building, structure, site, object, or
103 district that has been officially designated as a historic
104 building, historic structure, historic site, historic object, or
105 historic district through a federal, state, or local designation
106 program.

107 (m) "Land development regulations" means any ordinance
108 enacted by a local government for the regulation of any aspect
109 of development, including an ordinance governing zoning,
110 subdivisions, landscaping, tree protection, or signs, the local
111 government's comprehensive plan, or any other ordinance
112 concerning any aspect of the development of land. The term does
113 not include any building construction standard adopted under and
114 in compliance with chapter 553.



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115 (n) "Local exchange carrier" means a "competitive local
116 exchange telecommunications company" or a "local exchange
117 telecommunications company" as defined in s. 364.02.

118 (o) "Local government" means any municipality, county, or
119 political subdivision or agency of a municipality, county, or
120 political subdivision.

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

123 (q) "Mobile telephone number" or "MTN" means the telephone
124 number assigned to a wireless telephone at the time of initial
125 activation.

126 (r) "Nonwireless category" means the revenues to the fund
127 received from voice communications services providers other than
128 wireless providers.

129 (s) "Office" means the Technology Program within the
130 Department of Management Services, as designated by the
131 secretary of the department.

132 (t) "Order" means:

133 1. The following orders and rules of the Federal
134 Communications Commission issued in FCC Docket No. 94-102:

135 a. Order adopted on June 12, 1996, with an effective date
136 of October 1, 1996, the amendments to s. 20.03 and the creation
137 of s. 20.18 of Title 47 of the Code of Federal Regulations
138 adopted by the Federal Communications Commission pursuant to
139 such order.

140 b. Memorandum and Order No. FCC 97-402 adopted on December
141 23, 1997.

142 c. Order No. FCC DA 98-2323 adopted on November 13, 1998.

143 d. Order No. FCC 98-345 adopted December 31, 1998.



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144 2. Orders and rules subsequently adopted by the Federal
145 Communications Commission relating to the provision of 911
146 services, including Order Number FCC-05-116, adopted May 19,
147 2005.

148 (u) "Prepaid wireless category" means all revenues in the
149 fund received through the Department of Revenue from the fee
150 authorized and imposed under subsection (9).

151 (v) "Prepaid wireless service" means a right to access
152 wireless service that allows a caller to contact and interact
153 with 911 to access the 911 system, which service must be paid
154 for in advance and is sold in predetermined units or dollars,
155 which units or dollars expire on a predetermined schedule or are
156 decremented on a predetermined basis in exchange for the right
157 to access wireless service.

158 (w) "Public agency" means the state and any municipality,
159 county, municipal corporation, or other governmental entity,
160 public district, or public authority located in whole or in part
161 within this state which provides, or has authority to provide,
162 firefighting, law enforcement, ambulance, medical, or other
163 emergency services.

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

167 (y) "Public safety answering point," "PSAP," or "answering
168 point" means the public safety agency that receives incoming 911
169 requests for assistance and dispatches appropriate public safety
170 agencies to respond to the requests in accordance with the state
171 E911 plan.

172 (z) "Rural county" means any county that has a population



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173 of fewer than 75,000.

174 (aa) "Service identifier" means the service number, access
175 line, or other unique identifier assigned to a subscriber and
176 established by the Federal Communications Commission for
177 purposes of routing calls whereby the subscriber has access to
178 the E911 system.

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

181 (cc) "Voice communications services" means two-way voice
182 service, through the use of any technology, which actually
183 provides access to E911 services, and includes communications
184 services, as defined in s. 202.11, which actually provide access
185 to E911 services and which are required to be included in the
186 provision of E911 services pursuant to orders and rules adopted
187 by the Federal Communications Commission. The term includes
188 voice-over-Internet-protocol service. For the purposes of this
189 section, the term "voice-over-Internet-protocol service" or
190 "VoIP service" means interconnected VoIP services having the
191 following characteristics:

192 1. The service enables real-time, two-way voice
193 communications;

194 2. The service requires a broadband connection from the
195 user's locations;

196 3. The service requires IP-compatible customer premises
197 equipment; and

198 4. The service offering allows users generally to receive
199 calls that originate on the public switched telephone network
200 and to terminate calls on the public switched telephone network.

201 (dd) "Voice communications services provider" or "provider"



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202 means any person or entity providing voice communications
203 services, except that the term does not include any person or
204 entity that resells voice communications services and was
205 assessed the fee authorized and imposed under subsection (8) by
206 its resale supplier.

207 (ee) "Wireless 911 system" or "wireless 911 service" means
208 an emergency telephone system or service that provides a
209 subscriber with the ability to reach an answering point by
210 accessing the digits 911.

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

214 (gg) "Wireless communications facility" means any equipment
215 or facility used to provide service and may include, but is not
216 limited to, antennae, towers, equipment enclosures, cabling,
217 antenna brackets, and other such equipment. Placing a wireless
218 communications facility on an existing structure does not cause
219 the existing structure to become a wireless communications
220 facility.

221 (hh) "Wireless provider" means a person who provides
222 wireless service and:

- 223 1. Is subject to the requirements of the order; or
224 2. Elects to provide wireless 911 service or E911 service
225 in this state.

226 (ii) "Wireless service" means "commercial mobile radio
227 service" as provided under ss. 3(27) and 332(d) of the Federal
228 Telecommunications Act of 1996, 47 U.S.C. ss. 151 et seq., and
229 the Omnibus Budget Reconciliation Act of 1993, Pub. L. No. 103-
230 66, August 10, 1993, 107 Stat. 312. The term includes service



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231 provided by any wireless real-time two-way wire communication
232 device, including radio-telephone communications used in
233 cellular telephone service; personal communications service; or
234 the functional or competitive equivalent of a radio-telephone
235 communications line used in cellular telephone service, a
236 personal communications service, or a network radio access line.
237 The term does not include wireless providers that offer mainly
238 dispatch service in a more localized, noncellular configuration;
239 providers offering only data, one-way, or stored-voice services
240 on an interconnected basis; providers of air-to-ground services;
241 or public coast stations.

242 Section 4. The Legislature finds that there is an important
243 state interest in ensuring that 911 telecommunications are
244 routed to the most appropriate 911 system in the most
245 expeditious manner possible in order to protect public safety.
246 Thus, a proper and legitimate state purpose is served when local
247 government 911 public safety telecommunicators are able to
248 transfer and receive transfers of emergency calls from other
249 local, multijurisdictional, or regional E911 systems in the
250 state. Therefore, the Legislature finds and declares that this
251 act fulfills an important state interest.

252 Section 5. This act shall take effect July 1, 2018.