

By Senator Steube

23-00056-18

2018190__

1 A bill to be entitled
2 An act relating to E911 systems; creating s. 365.176,
3 F.S.; requiring that the Technology Program within the
4 Department of Management Services develop and
5 implement a plan to require that emergency dispatchers
6 be able to transfer an emergency call from one E911
7 system to another E911 system in the state; amending
8 s. 365.172, F.S.; revising the applicability of
9 definitions; providing an effective date.

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

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13 Section 1. Section 365.176, Florida Statutes, is created to
14 read:

15 365.176 Transfer of E911 calls between systems.-

16 (1) The office shall develop and implement a plan by
17 January 1, 2019, to require that a 911 public safety
18 telecommunicator, when prudent and requested by a caller or when
19 necessary, be able to transfer an emergency call from one local,
20 multijurisdictional, or regional E911 system to another local,
21 multijurisdictional, or regional E911 system in the state.

22 (2) In developing and implementing this plan, the office
23 shall:

24 (a) Coordinate with public agencies to identify and resolve
25 any technological or logistical issues in implementing this
26 section.

27 (b) Identify or establish a system or clearinghouse for
28 maintaining contact information for all E911 systems in the
29 state.

23-00056-18

2018190__

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

34 Section 2. Subsection (3) of section 365.172, Florida
35 Statutes, is amended to read:

36 365.172 Emergency communications number "E911."—

37 (3) DEFINITIONS.—Only as used in this section and ss.
38 365.171, 365.173, ~~and~~ 365.174, and 365.176, the term:

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

41 (b) "Automatic location identification" means the
42 capability of the E911 service which enables the automatic
43 display of information that defines the approximate geographic
44 location of the wireless telephone, or the location of the
45 address of the wireline telephone, used to place a 911 call.

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

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

51 (e) "Building permit review" means a review for compliance
52 with building construction standards adopted by the local
53 government under chapter 553 and does not include a review for
54 compliance with land development regulations.

55 (f) "Collocation" means the situation when a second or
56 subsequent wireless provider uses an existing structure to
57 locate a second or subsequent antennae. The term includes the
58 ground, platform, or roof installation of equipment enclosures,

23-00056-18

2018190__

59 cabinets, or buildings, and cables, brackets, and other
60 equipment associated with the location and operation of the
61 antennae.

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

65 (h) "Enhanced 911" or "E911" means an enhanced 911 system
66 or enhanced 911 service that is an emergency telephone system or
67 service that provides a subscriber with 911 service and, in
68 addition, directs 911 calls to appropriate public safety
69 answering points by selective routing based on the geographical
70 location from which the call originated, or as otherwise
71 provided in the state plan under s. 365.171, and that provides
72 for automatic number identification and automatic location-
73 identification features. E911 service provided by a wireless
74 provider means E911 as defined in the order.

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

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

82 (k) "Fund" means the Emergency Communications Number E911
83 System Fund established in s. 365.173 and maintained under this
84 section for the purpose of recovering the costs associated with
85 providing 911 service or E911 service, including the costs of
86 implementing the order. The fund shall be segregated into
87 wireless, prepaid wireless, and nonwireless categories.

23-00056-18

2018190__

88 (l) "Historic building, structure, site, object, or
89 district" means any building, structure, site, object, or
90 district that has been officially designated as a historic
91 building, historic structure, historic site, historic object, or
92 historic district through a federal, state, or local designation
93 program.

94 (m) "Land development regulations" means any ordinance
95 enacted by a local government for the regulation of any aspect
96 of development, including an ordinance governing zoning,
97 subdivisions, landscaping, tree protection, or signs, the local
98 government's comprehensive plan, or any other ordinance
99 concerning any aspect of the development of land. The term does
100 not include any building construction standard adopted under and
101 in compliance with chapter 553.

102 (n) "Local exchange carrier" means a "competitive local
103 exchange telecommunications company" or a "local exchange
104 telecommunications company" as defined in s. 364.02.

105 (o) "Local government" means any municipality, county, or
106 political subdivision or agency of a municipality, county, or
107 political subdivision.

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

110 (q) "Mobile telephone number" or "MTN" means the telephone
111 number assigned to a wireless telephone at the time of initial
112 activation.

113 (r) "Nonwireless category" means the revenues to the fund
114 received from voice communications services providers other than
115 wireless providers.

116 (s) "Office" means the Technology Program within the

23-00056-18

2018190__

117 Department of Management Services, as designated by the
118 secretary of the department.

119 (t) "Order" means:

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

122 a. Order adopted on June 12, 1996, with an effective date
123 of October 1, 1996, the amendments to s. 20.03 and the creation
124 of s. 20.18 of Title 47 of the Code of Federal Regulations
125 adopted by the Federal Communications Commission pursuant to
126 such order.

127 b. Memorandum and Order No. FCC 97-402 adopted on December
128 23, 1997.

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

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

131 2. Orders and rules subsequently adopted by the Federal
132 Communications Commission relating to the provision of 911
133 services, including Order Number FCC-05-116, adopted May 19,
134 2005.

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

138 (v) "Prepaid wireless service" means a right to access
139 wireless service that allows a caller to contact and interact
140 with 911 to access the 911 system, which service must be paid
141 for in advance and is sold in predetermined units or dollars,
142 which units or dollars expire on a predetermined schedule or are
143 decremented on a predetermined basis in exchange for the right
144 to access wireless service.

145 (w) "Public agency" means the state and any municipality,

23-00056-18

2018190__

146 county, municipal corporation, or other governmental entity,
147 public district, or public authority located in whole or in part
148 within this state which provides, or has authority to provide,
149 firefighting, law enforcement, ambulance, medical, or other
150 emergency services.

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

154 (y) "Public safety answering point," "PSAP," or "answering
155 point" means the public safety agency that receives incoming 911
156 requests for assistance and dispatches appropriate public safety
157 agencies to respond to the requests in accordance with the state
158 E911 plan.

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

161 (aa) "Service identifier" means the service number, access
162 line, or other unique identifier assigned to a subscriber and
163 established by the Federal Communications Commission for
164 purposes of routing calls whereby the subscriber has access to
165 the E911 system.

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

168 (cc) "Voice communications services" means two-way voice
169 service, through the use of any technology, which actually
170 provides access to E911 services, and includes communications
171 services, as defined in s. 202.11, which actually provide access
172 to E911 services and which are required to be included in the
173 provision of E911 services pursuant to orders and rules adopted
174 by the Federal Communications Commission. The term includes

23-00056-18

2018190__

175 voice-over-Internet-protocol service. For the purposes of this
176 section, the term "voice-over-Internet-protocol service" or
177 "VoIP service" means interconnected VoIP services having the
178 following characteristics:

179 1. The service enables real-time, two-way voice
180 communications;

181 2. The service requires a broadband connection from the
182 user's locations;

183 3. The service requires IP-compatible customer premises
184 equipment; and

185 4. The service offering allows users generally to receive
186 calls that originate on the public switched telephone network
187 and to terminate calls on the public switched telephone network.

188 (dd) "Voice communications services provider" or "provider"
189 means any person or entity providing voice communications
190 services, except that the term does not include any person or
191 entity that resells voice communications services and was
192 assessed the fee authorized and imposed under subsection (8) by
193 its resale supplier.

194 (ee) "Wireless 911 system" or "wireless 911 service" means
195 an emergency telephone system or service that provides a
196 subscriber with the ability to reach an answering point by
197 accessing the digits 911.

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

201 (gg) "Wireless communications facility" means any equipment
202 or facility used to provide service and may include, but is not
203 limited to, antennae, towers, equipment enclosures, cabling,

23-00056-18

2018190__

204 antenna brackets, and other such equipment. Placing a wireless
205 communications facility on an existing structure does not cause
206 the existing structure to become a wireless communications
207 facility.

208 (hh) "Wireless provider" means a person who provides
209 wireless service and:

- 210 1. Is subject to the requirements of the order; or
- 211 2. Elects to provide wireless 911 service or E911 service
212 in this state.

213 (ii) "Wireless service" means "commercial mobile radio
214 service" as provided under ss. 3(27) and 332(d) of the Federal
215 Telecommunications Act of 1996, 47 U.S.C. ss. 151 et seq., and
216 the Omnibus Budget Reconciliation Act of 1993, Pub. L. No. 103-
217 66, August 10, 1993, 107 Stat. 312. The term includes service
218 provided by any wireless real-time two-way wire communication
219 device, including radio-telephone communications used in
220 cellular telephone service; personal communications service; or
221 the functional or competitive equivalent of a radio-telephone
222 communications line used in cellular telephone service, a
223 personal communications service, or a network radio access line.
224 The term does not include wireless providers that offer mainly
225 dispatch service in a more localized, noncellular configuration;
226 providers offering only data, one-way, or stored-voice services
227 on an interconnected basis; providers of air-to-ground services;
228 or public coast stations.

229 Section 3. This act shall take effect July 1, 2018.