

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

14
 15 Be It Enacted by the Legislature of the State of Florida:

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 17 Section 1. Subsection (15) section 365.172, Florida
 18 Statutes, is renumbered as subsection (16), subsection (3) is
 19 amended, and a new subsection (15) is added to that section, to
 20 read:

21 365.172 Emergency communications number "E911."—

22 (3) DEFINITIONS.—Only as used in this section and ss.
 23 365.171, 365.173, ~~and~~ 365.174, and 365.176, the term:

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

26 (b) "Automatic location identification" means the
27 capability of the E911 service which enables the automatic
28 display of information that defines the approximate geographic
29 location of the wireless telephone, or the location of the
30 address of the wireline telephone, used to place a 911 call.

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

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

36 (e) "Building permit review" means a review for compliance
37 with building construction standards adopted by the local
38 government under chapter 553 and does not include a review for
39 compliance with land development regulations.

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

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

50 (h) "Enhanced 911" or "E911" means an enhanced 911 system

51 or enhanced 911 service that is an emergency telephone system or
52 service that provides a subscriber with 911 service and, in
53 addition, directs 911 calls to appropriate public safety
54 answering points by selective routing based on the geographical
55 location from which the call originated, or as otherwise
56 provided in the state plan under s. 365.171, and that provides
57 for automatic number identification and automatic location-
58 identification features. E911 service provided by a wireless
59 provider means E911 as defined in the order.

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

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

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

73 (l) "Historic building, structure, site, object, or
74 district" means any building, structure, site, object, or
75 district that has been officially designated as a historic

76 building, historic structure, historic site, historic object, or
77 historic district through a federal, state, or local designation
78 program.

79 (m) "Land development regulations" means any ordinance
80 enacted by a local government for the regulation of any aspect
81 of development, including an ordinance governing zoning,
82 subdivisions, landscaping, tree protection, or signs, the local
83 government's comprehensive plan, or any other ordinance
84 concerning any aspect of the development of land. The term does
85 not include any building construction standard adopted under and
86 in compliance with chapter 553.

87 (n) "Local exchange carrier" means a "competitive local
88 exchange telecommunications company" or a "local exchange
89 telecommunications company" as defined in s. 364.02.

90 (o) "Local government" means any municipality, county, or
91 political subdivision or agency of a municipality, county, or
92 political subdivision.

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

95 (q) "Mobile telephone number" or "MTN" means the telephone
96 number assigned to a wireless telephone at the time of initial
97 activation.

98 (r) "Nonwireless category" means the revenues to the fund
99 received from voice communications services providers other than
100 wireless providers.

101 (s) "Office" means the Technology Program within the
 102 Department of Management Services, as designated by the
 103 secretary of the department.

104 (t) "Order" means:

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

107 a. Order adopted on June 12, 1996, with an effective date
 108 of October 1, 1996, the amendments to s. 20.03 and the creation
 109 of s. 20.18 of Title 47 of the Code of Federal Regulations
 110 adopted by the Federal Communications Commission pursuant to
 111 such order.

112 b. Memorandum and Order No. FCC 97-402 adopted on December
 113 23, 1997.

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

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

116 2. Orders and rules subsequently adopted by the Federal
 117 Communications Commission relating to the provision of 911
 118 services, including Order Number FCC-05-116, adopted May 19,
 119 2005.

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

123 (v) "Prepaid wireless service" means a right to access
 124 wireless service that allows a caller to contact and interact
 125 with 911 to access the 911 system, which service must be paid

126 | for in advance and is sold in predetermined units or dollars,
127 | which units or dollars expire on a predetermined schedule or are
128 | decremented on a predetermined basis in exchange for the right
129 | to access wireless service.

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

136 | (x) "Public safety agency" means a functional division of
137 | a public agency which provides firefighting, law enforcement,
138 | medical, or other emergency services.

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

144 | (z) "Rural county" means any county that has a population
145 | of fewer than 75,000.

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

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

153 (cc) "Voice communications services" means two-way voice
154 service, through the use of any technology, which actually
155 provides access to E911 services, and includes communications
156 services, as defined in s. 202.11, which actually provide access
157 to E911 services and which are required to be included in the
158 provision of E911 services pursuant to orders and rules adopted
159 by the Federal Communications Commission. The term includes
160 voice-over-Internet-protocol service. For the purposes of this
161 section, the term "voice-over-Internet-protocol service" or
162 "VoIP service" means interconnected VoIP services having the
163 following characteristics:

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

173 (dd) "Voice communications services provider" or
174 "provider" means any person or entity providing voice
175 communications services, except that the term does not include

176 any person or entity that resells voice communications services
177 and was assessed the fee authorized and imposed under subsection
178 (8) by its resale supplier.

179 (ee) "Wireless 911 system" or "wireless 911 service" means
180 an emergency telephone system or service that provides a
181 subscriber with the ability to reach an answering point by
182 accessing the digits 911.

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

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

193 (hh) "Wireless provider" means a person who provides
194 wireless service and:

- 195 1. Is subject to the requirements of the order; or
- 196 2. Elects to provide wireless 911 service or E911 service
197 in this state.

198 (ii) "Wireless service" means "commercial mobile radio
199 service" as provided under ss. 3(27) and 332(d) of the Federal
200 Telecommunications Act of 1996, 47 U.S.C. ss. 151 et seq., and

201 the Omnibus Budget Reconciliation Act of 1993, Pub. L. No. 103-
202 66, August 10, 1993, 107 Stat. 312. The term includes service
203 provided by any wireless real-time two-way wire communication
204 device, including radio-telephone communications used in
205 cellular telephone service; personal communications service; or
206 the functional or competitive equivalent of a radio-telephone
207 communications line used in cellular telephone service, a
208 personal communications service, or a network radio access line.
209 The term does not include wireless providers that offer mainly
210 dispatch service in a more localized, noncellular configuration;
211 providers offering only data, one-way, or stored-voice services
212 on an interconnected basis; providers of air-to-ground services;
213 or public coast stations.

214 (15) TEXT-TO-911 SERVICE.—Each county shall develop a
215 countywide implementation plan addressing text-to-911 services
216 and, by January 1, 2022, enact a system to allow text-to-911
217 services.

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

220 365.176 Transfer of E911 calls between systems.—

221 (1) The office shall develop a plan by February 1, 2020,
222 to upgrade 911 public safety answering points within the state
223 to allow the transfer of an emergency call from one local,
224 multijurisdictional, or regional E911 system to another local,
225 multijurisdictional, or regional E911 system in the state. Such

226 transfer should include, voice, text message, image, video,
227 caller identification information, location information, and
228 additional standards-based 911 call information.

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

230 (a) Coordinate with public agencies to identify and
231 resolve any technological or logistical issues.

232 (b) Identify or establish a system or clearinghouse for
233 maintaining contact information for all E911 systems in the
234 state.

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

240 Section 3. The Legislature finds that an important state
241 interest is served in protecting the public safety by ensuring
242 that 911 telecommunications are routed to the most appropriate
243 911 system in the most expeditious manner possible. A proper and
244 legitimate state purpose is achieved when local government 911
245 public safety telecommunicators are able to transfer and receive
246 transfers of emergency calls to and from other local,
247 multijurisdictional, or regional E911 systems in the state.
248 Therefore, the Legislature finds and declares that this act
249 fulfills an important state interest.

250 Section 4. This act shall take effect July 1, 2019.