

By Senator Brandes

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1                   A bill to be entitled  
2       An act relating to 911 services; amending s. 365.172,  
3       F.S.; revising the applicability of definitions;  
4       requiring counties to develop a plan for implementing  
5       a text-to-911 system and to implement a system to  
6       receive E911 text messages by a specified date;  
7       creating s. 365.177, F.S.; requiring that the  
8       Technology Program within the Department of Management  
9       Services develop and implement a plan to require that  
10      emergency dispatchers be able to transfer an emergency  
11      call from one E911 system to another E911 system in  
12      this state; providing a declaration of important state  
13      interest; providing an effective date.

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

16  
17       Section 1. Present subsection (15) of section 365.172,  
18       Florida Statutes, is redesignated as subsection (16), a new  
19       subsection (15) is added to that section, and subsection (3) of  
20       that section is amended, to 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 365.177, 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

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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 of  
35 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

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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

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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

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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 a  
137 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.

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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 "provider"  
174 means any person or entity providing voice communications

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175 services, except that the term does not include any person or  
176 entity that resells voice communications services and was  
177 assessed the fee authorized and imposed under subsection (8) by  
178 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 equipment  
187 or facility used to provide service and may include, but is not  
188 limited to, antennae, towers, equipment enclosures, cabling,  
189 antenna brackets, and other such equipment. Placing a wireless  
190 communications facility on an existing structure does not cause  
191 the existing structure to become a wireless communications  
192 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

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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 for text-to-911 services and, by  
216 January 1, 2022, have in place a system to receive E911 text  
217 messages from providers.

218 Section 2. Section 365.177, Florida Statutes, is created to  
219 read:

220 365.177 Transfer of E911 calls between systems.—

221 (1) The office shall develop and implement a plan by  
222 January 1, 2020, to require that a 911 public safety  
223 telecommunicator, when deemed prudent and requested by a caller  
224 or when deemed necessary, be able to transfer an emergency call  
225 from one local, multijurisdictional, or regional E911 system to  
226 another local, multijurisdictional, or regional E911 system in  
227 this state.

228 (2) In developing and implementing this plan, the office  
229 shall:

230 (a) Coordinate with public agencies to identify and resolve  
231 any technological or logistical issues in implementing this  
232 section.



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

236       (c) Establish a date, considering any technological,  
237 logistical, financial, or other identified issues, by which all  
238 E911 systems in this state must be able to transfer emergency  
239 calls pursuant to subsection (1).

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

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