



341380

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/26/2023	.	
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The Committee on Fiscal Policy (Bradley) recommended the following:

Senate Amendment (with title amendment)

Delete lines 429 - 992
and insert:
NG911 systems, public safety radio communications systems, and other public safety communications improvements ~~wireless E911 service by service area,~~ and prioritize disbursements of revenues from the fund to ~~providers and~~ rural counties as provided in s. 365.173(2)(f) ~~s. 365.173(2)(e) and (g)~~ pursuant to the schedule, in order to implement 911 ~~E911~~ services in the



11 most efficient and cost-effective manner.

12 b. For grants made available under s. 365.173(2)(g), the
13 board shall provide 90 days' written notice to all counties and
14 publish electronically an approved application process.
15 Applications must be prioritized based on the availability of
16 grant funds, current system life expectancy, and system
17 replacement needs. The board shall take all actions within its
18 authority to ensure that county recipients of such funds use
19 these funds only for the purpose for which they have been
20 provided and may take any actions within its authority to secure
21 county repayment of revenues upon a determination that the funds
22 were not used for the purpose for which the funds were
23 disbursed.

24 ~~b. Revenues in the fund which have not been disbursed~~
25 ~~because sworn invoices as required by s. 365.173(2)(c) have not~~
26 ~~been submitted to the board may be used by the board as needed~~
27 ~~to provide grants to counties for the purpose of upgrading E911~~
28 ~~systems. The counties must use the funds only for capital~~
29 ~~expenditures or remotely provided hosted 911 answering point~~
30 ~~call-taking equipment and network services directly attributable~~
31 ~~to establishing and provisioning E911 services, which may~~
32 ~~include next-generation deployment. Prior to the distribution of~~
33 ~~grants, the board shall provide 90 days' written notice to all~~
34 ~~counties and publish electronically an approved application~~
35 ~~process. County grant applications shall be prioritized based on~~
36 ~~the availability of funds, current system life expectancy,~~
37 ~~system replacement needs, and Phase II compliance per the~~
38 ~~Federal Communications Commission. No grants will be available~~
39 ~~to any county for next-generation deployment until all counties~~



341380

40 ~~are Phase II complete. The board shall take all actions within~~
41 ~~its authority to ensure that county recipients of such grants~~
42 ~~use these funds only for the purpose under which they have been~~
43 ~~provided and may take any actions within its authority to secure~~
44 ~~county repayment of grant revenues upon determination that the~~
45 ~~funds were not used for the purpose under which they were~~
46 ~~provided.~~

47 ~~e. When determining the funding provided in a state 911~~
48 ~~grant application request, the board shall take into account~~
49 ~~information on the amount of carryforward funds retained by the~~
50 ~~counties. The information will be based on the amount of county~~
51 ~~carryforward funds reported in the financial audit required in~~
52 ~~s. 365.173(2) (d). E911 State Grant Program funding requests will~~
53 ~~be limited by any county carryforward funds in excess of the~~
54 ~~allowable 30 percent amount of fee revenue calculated on a 2-~~
55 ~~year basis.~~

56 ~~d. The board shall reimburse all costs of a wireless~~
57 ~~provider in accordance with s. 365.173(2) (e) before taking any~~
58 ~~action to transfer additional funds.~~

59 ~~e. After taking the action required in sub-subparagraphs~~
60 ~~a.-d., the board may review and, with all members participating~~
61 ~~in the vote, adjust the percentage allocations or adjust the~~
62 ~~amount of the fee as provided under paragraph (8) (g), and, if~~
63 ~~the board determines that the revenues in the wireless category~~
64 ~~exceed the amount needed to reimburse wireless providers for the~~
65 ~~cost to implement E911 services, the board may transfer revenue~~
66 ~~to the counties from the existing funds within the wireless~~
67 ~~category. The board shall disburse the funds equitably to all~~
68 ~~counties using a timeframe and distribution methodology~~



341380

69 ~~established by the board.~~

70 4. Review documentation submitted by wireless providers
71 which reflects current and projected funds derived from the fee,
72 ~~and the expenses incurred and expected to be incurred in order~~
73 ~~to comply with the E911 service requirements contained in the~~
74 ~~order for the purposes of:~~

75 a. ~~Ensuring that wireless providers receive fair and~~
76 ~~equitable distributions of funds from the fund.~~

77 b. ~~Ensuring that wireless providers are not provided~~
78 ~~disbursements from the fund which exceed the costs of providing~~
79 ~~E911 service, including the costs of complying with the order.~~

80 c. ~~Ascertaining the projected costs of compliance with the~~
81 ~~requirements of the order and projected collections of the fee.~~

82 d. ~~Implementing changes to the allocation percentages or~~
83 ~~adjusting the fee under paragraph (8)(h).~~

84 5. Implement changes to the allocation percentages or
85 adjust the fee pursuant to s. 365.173.

86 6.5. Meet monthly in the most efficient and cost-effective
87 manner, including telephonically when practical, for the
88 business to be conducted. The office shall administer the
89 disbursement of funds to counties and provide a monthly report
90 of such disbursements to the board, ~~to review and approve or~~
91 ~~reject, in whole or in part, applications submitted by wireless~~
92 ~~providers for recovery of moneys deposited into the wireless~~
93 ~~category, and to authorize the transfer of, and distribute, the~~
94 ~~fee allocation to the counties.~~

95 7.6. Hire and retain employees, which may include an
96 independent executive director who shall possess experience in
97 the area of telecommunications and emergency 911 issues, for the



341380

98 purposes of performing the technical and administrative
99 functions for the board.

100 ~~8.7.~~ Make and enter into contracts, pursuant to chapter
101 287, and execute other instruments necessary or convenient for
102 the exercise of the powers and functions of the board.

103 ~~9.8.~~ Sue and be sued, and appear and defend in all actions
104 and proceedings, in its corporate name to the same extent as a
105 natural person.

106 ~~10.9.~~ Adopt, use, and alter a common corporate seal.

107 ~~11.10.~~ Elect or appoint the officers and agents that are
108 required by the affairs of the board.

109 ~~12.11.~~ The board may adopt rules under ss. 120.536(1) and
110 120.54 to implement this section and ss. 365.173 and 365.174.

111 ~~13.12.~~ Provide coordination, support, and technical
112 assistance to counties to promote the deployment of advanced
113 public safety emergency communications ~~911~~ and ~~E911~~ systems in
114 the state.

115 ~~14.13.~~ Provide coordination and support for educational
116 opportunities related to 911 ~~E911~~ issues for the public safety
117 emergency communications ~~E911~~ community in this state.

118 ~~15.14.~~ Act as an advocate for issues related to public
119 safety emergency communications ~~E911~~ system functions, features,
120 and operations to improve the delivery of public safety
121 emergency communications ~~E911~~ services to the residents of and
122 visitors to this state.

123 ~~16.15.~~ Coordinate input from this state at national forums
124 and associations, to ensure that policies related to public
125 safety emergency communications ~~E911~~ systems and services are
126 consistent with the policies of the public safety emergency



127 communications ~~E911~~ community in this state.

128 ~~17.16.~~ Work cooperatively with the system director
129 established in s. 365.171(5) to enhance the state of public
130 safety emergency communications ~~E911~~ services in this state and
131 to provide unified leadership for all public safety emergency
132 communications ~~E911~~ issues through planning and coordination.

133 ~~18.17.~~ Do all acts and things necessary or convenient to
134 carry out the powers granted in this section in a manner that is
135 competitively and technologically neutral as to all voice
136 communications services providers, including, but not limited
137 to, consideration of emerging technology and related cost
138 savings, while taking into account embedded costs in current
139 systems.

140 ~~19.18.~~ Have the authority to secure the services of an
141 independent, private attorney via invitation to bid, request for
142 proposals, invitation to negotiate, or professional contracts
143 for legal services already established at the Division of
144 Purchasing of the Department of Management Services.

145 (b) Board members shall serve without compensation;
146 however, members are entitled to per diem and travel expenses as
147 provided in s. 112.061.

148 (c) By February 28 of each year, the board shall prepare a
149 report for submission by the office to the Governor, the
150 President of the Senate, and the Speaker of the House of
151 Representatives which addresses for the immediately preceding
152 state fiscal year and county fiscal year:

153 1. The annual receipts, including the total amount of fee
154 revenues collected by each provider, the total disbursements of
155 money in the fund, ~~including the amount of fund-reimbursed~~



341380

156 ~~expenses incurred by each wireless provider to comply with the~~
157 ~~order,~~ and the amount of moneys on deposit in the fund.

158 2. Whether the amount of the fee and the allocation
159 percentages set forth in s. 365.173 have been or should be
160 adjusted to comply with the ~~requirements of the order or other~~
161 provisions of this chapter, and the reasons for making or not
162 making a recommended adjustment to the fee.

163 3. Any other issues related to providing emergency
164 communications ~~E911~~ services.

165 4. The status of emergency communications ~~E911~~ services in
166 this state.

167 (7) REQUEST FOR PROPOSALS FOR INDEPENDENT ACCOUNTING FIRM.—

168 (a) The board shall issue a request for proposals as
169 provided in chapter 287 for the purpose of retaining an
170 independent accounting firm. The independent accounting firm
171 shall perform all material administrative and accounting tasks
172 and functions required for administering the fee. The request
173 for proposals must include, but need not be limited to:

174 1. A description of the scope and general requirements of
175 the services requested.

176 2. A description of the specific accounting and reporting
177 services required for administering the fund, including
178 processing checks and distributing funds as directed by the
179 board under s. 365.173.

180 3. A description of information to be provided by the
181 proposer, including the proposer's background and qualifications
182 and the proposed cost of the services to be provided.

183 (b) The board shall establish a committee to review
184 requests for proposals which must include the statewide



341380

185 emergency communications systems ~~E911 system~~ director designated
186 under s. 365.171(5), or his or her designee, and two members of
187 the board, ~~one of whom is a county 911 coordinator and one of~~
188 ~~whom represents a voice communications services provider.~~ The
189 review committee shall review the proposals received by the
190 board and recommend an independent accounting firm to the board
191 for final selection. By agreeing to serve on the review
192 committee, each member of the review committee shall verify that
193 he or she does not have any interest or employment, directly or
194 indirectly, with potential proposers which conflicts in any
195 manner or degree with his or her performance on the committee.

196 (c) The board may secure the services of an independent
197 accounting firm via invitation to bid, request for proposals,
198 invitation to negotiate, or professional contracts already
199 established at the Division of Purchasing, Department of
200 Management Services, for certified public accounting firms, or
201 the board may hire and retain professional accounting staff to
202 accomplish these functions.

203 (8) PUBLIC SAFETY EMERGENCY COMMUNICATIONS SYSTEMS ~~E911~~
204 FEE.—

205 (a) Each voice communications services provider shall
206 collect the fee described in this subsection, except that the
207 fee for prepaid wireless service shall be collected in the
208 manner set forth in subsection (9). Each provider, as part of
209 its monthly billing process, shall bill the fee as follows. The
210 fee may ~~shall~~ not be assessed on any pay telephone in the state.

211 1. Each voice communications service provider other than a
212 wireless provider shall bill the fee to a subscriber based on
213 the number of access lines having access to the 911 ~~E911~~ system,



214 on a service-identifier basis, up to a maximum of 25 access
215 lines per account bill rendered.

216 2. Each voice communications service provider other than a
217 wireless provider shall bill the fee to a subscriber on a basis
218 of five service-identified access lines for each digital
219 transmission link, including primary rate interface service or
220 equivalent Digital-Signal-1-level service, which can be
221 channelized and split into 23 or 24 voice-grade or data-grade
222 channels for communications, up to a maximum of 25 access lines
223 per account bill rendered.

224 3. Except in the case of prepaid wireless service, each
225 wireless provider shall bill the fee to a subscriber on a per-
226 service-identifier basis for service identifiers whose primary
227 place of use is within this state. The fee may ~~shall~~ not be
228 assessed on or collected from a provider with respect to an end
229 user's service if that end user's service is a prepaid wireless
230 service sold before January 1, 2015.

231 4. Except in the case of prepaid wireless service, each
232 voice communications services provider not addressed under
233 subparagraphs 1., 2., and 3. shall bill the fee on a per-
234 service-identifier basis for service identifiers whose primary
235 place of use is within the state up to a maximum of 25 service
236 identifiers for each account bill rendered.

237
238 The provider may list the fee as a separate entry on each bill,
239 in which case the fee must be identified as a fee for 911 ~~E911~~
240 services. A provider shall remit the fee to the board only if
241 the fee is paid by the subscriber. If a provider receives a
242 partial payment for a monthly bill from a subscriber, the amount



341380

243 received shall first be applied to the payment due the provider
244 for providing voice communications service.

245 (b) A provider is not obligated to take any legal action to
246 enforce collection of the fees for which any subscriber is
247 billed. A county subscribing to 911 service remains liable to
248 the provider delivering the 911 service or equipment for any 911
249 service, equipment, operation, or maintenance charge owed by the
250 county to the provider.

251 (c) For purposes of this subsection, the state and local
252 governments are not subscribers.

253 (d) Each provider may retain 1 percent of the amount of the
254 fees collected as reimbursement for the administrative costs
255 incurred by the provider to bill, collect, and remit the fee.
256 The remainder shall be delivered to the board and deposited by
257 the board into the fund. The board shall distribute the
258 remainder pursuant to s. 365.173.

259 (e) Voice communications services providers billing the fee
260 to subscribers shall deliver revenues from the fee to the board
261 within 60 days after the end of the month in which the fee was
262 billed, together with a monthly report of the number of service
263 identifiers in each county. Each wireless provider and other
264 applicable provider identified in subparagraph (a)4. shall
265 report the number of service identifiers for subscribers whose
266 place of primary use is in each county. All provider subscriber
267 information provided to the board is subject to s. 365.174. If a
268 provider chooses to remit any fee amounts to the board before
269 they are paid by the subscribers, a provider may apply to the
270 board for a refund of, or may take a credit for, any such fees
271 remitted to the board which are not collected by the provider



341380

272 within 6 months following the month in which the fees are
273 charged off for federal income tax purposes as bad debt.

274 (f) The rate of the fee may not exceed 50 cents per month
275 for each service identifier. Effective January 1, 2015, the fee
276 shall be 40 cents per month for each service identifier. The fee
277 shall apply uniformly and be imposed throughout the state,
278 ~~except for those counties that, before July 1, 2007, had adopted~~
279 ~~an ordinance or resolution establishing a fee less than 50 cents~~
280 ~~per month per access line. In those counties the fee established~~
281 ~~by ordinance may be changed only to the uniform statewide rate~~
282 ~~no sooner than 30 days after notification is made by the~~
283 ~~county's board of county commissioners to the board.~~

284 (g) The board may adjust the allocation percentages for
285 distribution of the fund as provided in s. 365.173. ~~No sooner~~
286 ~~than June 1, 2015, the board may adjust the rate of the fee~~
287 ~~under paragraph (f) based on the criteria in this paragraph and~~
288 ~~paragraph (h).~~ Any adjustment in the rate must be approved by a
289 two-thirds vote of the total number of ~~E911~~ board members. When
290 setting the percentages or contemplating any adjustments to the
291 fee, the board shall consider the following:

292 ~~1. The revenues currently allocated for wireless service~~
293 ~~provider costs for implementing E911 service and projected costs~~
294 ~~for implementing E911 service, including recurring costs for~~
295 ~~Phase I and Phase II and the effect of new technologies;~~

296 ~~1.2.~~ The appropriate level of funding needed to fund the
297 rural grant program provided for in s. 365.173(2)(f) ~~s.~~
298 ~~365.173(2)(g);~~ and

299 ~~2.3.~~ The need to fund statewide, regional, and county
300 grants in accordance with sub-subparagraph (6)(a)3.b. and s.



341380

301 365.173(2)(g) ~~s. 365.173(2)(h)~~.

302 (h) The board may adjust the allocation percentages or
303 adjust the amount of the fee as provided in paragraph (g) if
304 necessary to ensure full cost recovery or prevent over recovery
305 ~~overrecovery~~ of costs incurred in the provision of 911 ~~E911~~
306 service, including costs incurred or projected to be incurred ~~to~~
307 ~~comply with the order~~. Any new allocation percentages or reduced
308 or increased fee may not be adjusted for 1 year. In no event
309 shall the fee exceed 50 cents per month for each service
310 identifier. The fee, and any board adjustment of the fee, shall
311 be uniform throughout the state, ~~except for the counties~~
312 ~~identified in paragraph (f)~~. No less than 90 days before the
313 effective date of any adjustment to the fee, the board shall
314 provide written notice of the adjusted fee amount and effective
315 date to each voice communications services provider from which
316 the board is then receiving the fee.

317 (i) It is the intent of the Legislature that all revenue
318 from the fee be used as specified in s. 365.173(2)(a)-(h) ~~s.~~
319 ~~365.173(2)(a)-(i)~~.

320 (j) State and local taxes do not apply to the fee. The
321 amount of the ~~E911~~ fee collected by a provider may not be
322 included in the base for imposition of any tax, fee, surcharge,
323 or other charge imposed by this state, any political subdivision
324 of this state, or any intergovernmental agency.

325 (k) A local government may not levy the fee or any
326 additional fee on providers or subscribers for the provision of
327 911 ~~E911~~ service.

328 (l) For purposes of this section, the definitions contained
329 in s. 202.11 and the provisions of s. 202.155 apply in the same



341380

330 manner and to the same extent as the definitions and provisions
331 apply to the taxes levied under chapter 202 on mobile
332 communications services.

333 (9) PREPAID WIRELESS PUBLIC SAFETY EMERGENCY COMMUNICATIONS
334 SYSTEMS ~~E911~~ FEE.—

335 (a) Effective January 1, 2015, a prepaid wireless ~~E911~~ fee
336 is imposed per retail transaction at the rate established in
337 paragraph (8)(f). In order to allow sellers of all sizes and
338 technological capabilities adequate time to comply with this
339 subsection, a seller of prepaid wireless service operating in
340 this state before the prepaid wireless ~~E911~~ fee is imposed shall
341 retain 100 percent of the fee collected under this paragraph for
342 the first 2 months to offset the cost of setup.

343 (b) Effective March 1, 2015, the prepaid wireless ~~E911~~ fee
344 imposed under paragraph (a) shall be subject to remittance in
345 accordance with paragraph (g). In no event shall the fee exceed
346 50 cents for each retail transaction. At least 90 days before
347 the effective date of any adjustment to the fee under paragraph
348 (8)(g), the Department of Revenue shall provide written notice
349 of the adjusted fee amount and its effective date to each seller
350 from which the department is then receiving the fee. At least
351 120 days before the effective date of any adjustment to the fee
352 imposed under this subsection, the board shall provide notice to
353 the Department of Revenue of the adjusted fee amount and
354 effective date of the adjustment.

355 (c) The prepaid wireless ~~E911~~ fee shall be collected by the
356 seller from the consumer with respect to each retail transaction
357 occurring in this state. The amount of the prepaid wireless ~~E911~~
358 fee shall be separately stated on an invoice, receipt, or other



359 similar document that is provided to the consumer by the seller
360 or otherwise disclosed to the consumer.

361 (d) For purposes of paragraph (c), a retail transaction
362 that takes place in person by a consumer at a business location
363 of the seller shall be treated as occurring in this state if
364 that business location is in this state. Such transaction is
365 deemed to have occurred in the county of the business location.
366 When a retail transaction does not take place at the seller's
367 business location, the transaction shall be treated as taking
368 place at the consumer's shipping address or, if no item is
369 shipped, at the consumer's address or the location associated
370 with the consumer's mobile telephone number. Such transaction is
371 deemed to have occurred in the county of the consumer's shipping
372 address when items are shipped to the consumer or, when no items
373 are shipped, the county of the consumer's address or the
374 location associated with the consumer's mobile telephone number.
375 A transaction for which the specific Florida county cannot be
376 determined shall be treated as nonspecific.

377 (e) If a prepaid wireless device is sold for a single,
378 nonitemized price with a prepaid wireless service of 10 minutes
379 or less or \$5 or less, the seller may elect not to apply the
380 prepaid wireless ~~E911~~ fee to the transaction.

381 (f) The amount of the prepaid wireless ~~E911~~ fee that is
382 collected by a seller from a consumer and that is separately
383 stated on an invoice, receipt, or similar document provided to
384 the consumer by the seller, may not be included in the base for
385 imposition of any tax, fee, surcharge, or other charge that is
386 imposed by this state, any political subdivision of this state,
387 or any intergovernmental agency.



341380

388 (g) Beginning April 1, 2015, each seller shall file a
389 return and remit the prepaid wireless ~~E911~~ fees collected in the
390 previous month to the Department of Revenue on or before the
391 20th day of the month. If the 20th day falls on a Saturday,
392 Sunday, or legal holiday, payments accompanied by returns are
393 due on the next succeeding day that is not a Saturday, Sunday,
394 or legal holiday observed by federal or state agencies as
395 defined in chapter 683 and s. 7503 of the Internal Revenue Code
396 of 1986, as amended. A seller may remit the prepaid wireless
397 ~~E911~~ fee by electronic funds transfer and file a fee return with
398 the Department of Revenue that is initiated through an
399 electronic data interchange.

400 1. When a seller is authorized by the Department of Revenue
401 pursuant to s. 212.11(1)(c) or (d) to file a sales and use tax
402 return on a quarterly, semiannual, or annual reporting basis,
403 the seller may file a return and remit the prepaid wireless ~~E911~~
404 fees on or before the 20th day of the month following the
405 authorized reporting period for sales and use tax.

406 2. A seller collecting less than \$50 per month of prepaid
407 wireless ~~E911~~ fees may file a quarterly return for the calendar
408 quarters ending in March, June, September, and December. The
409 seller must file a return and remit the prepaid wireless ~~E911~~
410 fees collected during each calendar quarter on or before the
411 20th day of the month following that calendar quarter.

412 3. A seller must provide the following information on each
413 prepaid wireless ~~E911~~ fee return filed with the Department of
414 Revenue:

415 a. The seller's name, federal identification number,
416 taxpayer identification number issued by the Department of



341380

417 Revenue, business location address and mailing address, and
418 county of the business location in accordance with paragraph
419 (d);

420 b. The reporting period;

421 c. The number of prepaid wireless services sold during the
422 reporting period;

423 d. The amount of prepaid wireless ~~E911~~ fees collected and
424 the amount of any adjustments to the fees collected;

425 e. The amount of any retailer collection allowance deducted
426 from the amount of prepaid wireless ~~E911~~ fees collected; and

427 f. The amount to be remitted to the Department of Revenue.

428 4. A seller who operates two or more business locations for
429 which returns are required to be filed with the Department of
430 Revenue may file a consolidated return reporting and remitting
431 the prepaid wireless ~~E911~~ fee for all business locations. Such
432 sellers must report the prepaid wireless ~~E911~~ fees collected in
433 each county, in accordance with paragraph (d), on a reporting
434 schedule filed with the fee return.

435 5. A return is not required for a reporting period when no
436 prepaid wireless ~~E911~~ fee is to be remitted for that period.

437 6. Except as provided in this section, the Department of
438 Revenue shall administer, collect, and enforce the fee under
439 this subsection pursuant to the same procedures used in the
440 administration, collection, and enforcement of the general state
441 sales tax imposed under chapter 212. The provisions of chapter
442 212 regarding authority to audit and make assessments, keeping
443 of books and records, and interest and penalties on delinquent
444 fees shall apply. The provisions of estimated tax liability in
445 s. 212.11(1)(a) do not apply to the prepaid wireless ~~E911~~ fee.



341380

446 (h) A seller of prepaid wireless services in this state
447 must register with the Department of Revenue for each place of
448 business as required by s. 212.18(3) and the Department of
449 Revenue's administrative rule regarding registration as a sales
450 and use tax dealer. A separate application is required for each
451 place of business. A valid certificate of registration issued by
452 the Department of Revenue to a seller for sales and use tax
453 purposes is sufficient for purposes of the registration
454 requirement of this subsection. There is no fee for registration
455 for remittance of the prepaid wireless ~~E911~~ fee.

456 (i) The Department of Revenue shall deposit the funds
457 remitted under this subsection into the Audit and Warrant
458 Clearing Trust Fund established in s. 215.199 and retain up to
459 3.2 percent of the funds remitted under this subsection to
460 reimburse its direct costs of administering the collection and
461 remittance of prepaid wireless ~~E911~~ fees. Thereafter, the
462 Department of Revenue shall transfer all remaining funds
463 remitted under this subsection to the Emergency Communications
464 Trust Number E911 System Fund monthly for use as provided in s.
465 365.173.

466 (j) Beginning March 1, 2015, a seller may retain 5 percent
467 of the prepaid wireless ~~E911~~ fees that are collected by the
468 seller from consumers as a retailer collection allowance.

469 (k) A provider or seller of prepaid wireless service is not
470 liable for damages to any person resulting from or incurred in
471 connection with providing or failing to provide emergency
472 communications and 911 or E911 service or for identifying or
473 failing to identify the telephone number, address, location, or
474 name associated with any person or device that is accessing or



341380

475 attempting to access emergency communications and 911 ~~or E911~~
476 service.

477 (l) A provider or seller of prepaid wireless service is not
478 liable for damages to any person resulting from or incurred in
479 connection with providing any lawful assistance to any
480 investigative or law enforcement officer of the United States,
481 any state, or any political subdivision of any state in
482 connection with any lawful investigation or other law
483 enforcement activity by such law enforcement officer.

484 (m) The limitations of liability under this subsection for
485 providers and sellers are in addition to any other limitation of
486 liability provided for under this section.

487 (n) A local government may not levy the fee or any
488 additional fee on providers or sellers of prepaid wireless
489 service for the provision of 911 ~~E911~~ service.

490 (o) For purposes of this section, the state and local
491 governments are not consumers.

492 (p) For purposes of this subsection, the term:

493 1. "Consumer" means a person who purchases prepaid wireless
494 service in a retail sale.

495 2. "Prepaid wireless ~~E911~~ fee" means the fee that is
496 required to be collected by a seller from a consumer as provided
497 in this subsection.

498 3. "Provider" means a person that provides prepaid wireless
499 service pursuant to a license issued by the Federal
500 Communications Commission.

501 4. "Retail transaction" means the purchase by a consumer
502 from a seller of prepaid wireless service that may be applied to
503 a single service identifier for use by the consumer. If a



341380

504 consumer makes a purchase of multiple prepaid wireless services
505 in a single transaction, each individual prepaid wireless
506 service shall be considered a separate retail transaction for
507 purposes of calculating the prepaid wireless ~~E911~~ fee.

508 5. "Seller" means a person who makes retail sales of
509 prepaid wireless services to a consumer.

510 (10) AUTHORIZED EXPENDITURES OF PUBLIC SAFETY EMERGENCY
511 COMMUNICATIONS SYSTEMS ~~E911~~ FEE.—

512 (a) For purposes of this section, emergency communications
513 and 911 ~~E911~~ service includes the functions relating to the
514 receipt and transfer of requests for emergency assistance, ~~of~~
515 database management, call taking, and location verification, ~~and~~
516 call transfer. Department of Health certification and
517 recertification and training costs for ~~911~~ public safety
518 telecommunications, including dispatching, are functions of
519 public safety emergency communications ~~911~~ services.

520 (b) All costs directly attributable to the establishment or
521 provision of emergency communications equipment ~~E911 service~~ and
522 contracting for ~~E911~~ services related to a primary or secondary
523 public safety answering point are eligible for expenditure of
524 moneys derived from imposition of the fee authorized by
525 subsections (8) and (9). These costs include the acquisition,
526 implementation, and maintenance of Public Safety Answering Point
527 (PSAP) equipment and 911 ~~E911~~ service features, as defined in
528 the providers' published schedules or the acquisition,
529 installation, and maintenance of other ~~E911~~ equipment,
530 including: circuits; call answering equipment; call transfer
531 equipment; ANI or ALI controllers; ANI or ALI displays; station
532 instruments; NG911 ~~E911~~ telecommunications systems; Emergency



533 Services IP Networks (ESInets); visual call information and
534 storage devices; recording equipment; telephone devices and
535 other equipment for the hearing impaired used in the 911 E911
536 system; PSAP backup power systems; consoles; automatic call
537 distributors; ~~and~~ interfaces, including hardware and software,
538 for computer-aided dispatch (CAD) systems, public safety Land
539 Mobile Radio (LMR) systems and radio consoles that provide two-
540 way radio communication with responders, and in-building
541 coverage; integrated CAD systems for that portion of the systems
542 used for E911 call taking; GIS system and software equipment and
543 information displays; network clocks; cybersecurity, including
544 hardware, software, and services; salary and associated expenses
545 for 911 E911 call takers and emergency dispatchers for that
546 portion of their time spent taking and transferring E911 calls,
547 salary, and associated expenses for a county to employ a full-
548 time equivalent 911 E911 coordinator position and a full-time
549 equivalent mapping or geographical data position, and technical
550 system maintenance, database, and administration personnel for
551 the portion of their time spent administrating the emergency
552 communications E911 system; emergency medical, fire, and law
553 enforcement prearrival instruction software; charts and training
554 costs; training costs for PSAP call takers, dispatchers,
555 supervisors, and managers in the proper methods and techniques
556 used in taking and transferring 911 E911 calls; costs to train
557 and educate PSAP employees and the public regarding 911 and
558 radio E911 service or NG911 E911 equipment, including fees
559 collected by the Department of Health for the certification and
560 recertification of 911 public safety telecommunicators as
561 required under s. 401.465; and expenses required to develop and



562 maintain all information, including ALI and ANI databases, call-
563 takers access to smart city technology data, emergency
564 communications broadband network information and other
565 information source repositories, necessary to properly inform
566 call takers as to location address, type of emergency, and other
567 information directly relevant to the processing of a request for
568 emergency assistance. An expenditure for a large-scale project
569 may be made only if the decision supporting the expenditure was
570 made in cooperation with the head of each law enforcement agency
571 served by the primary PSAP in each county ~~E911 call-taking and~~
572 ~~transferring function.~~

573
574 ===== T I T L E A M E N D M E N T =====

575 And the title is amended as follows:

576 Delete lines 11 - 37

577 and insert:

578 establish schedules for implementing certain NG911
579 systems and improvements; establishing notice and
580 publication requirements before distribution of grant
581 funds; providing for priority of county applications
582 for funds; requiring board oversight of such funds;
583 eliminating certain authority of the board; providing
584 for the board's authority to implement changes to the
585 allocation percentages and adjust fees; revising the
586 frequency of board meetings; specifying that the
587 Division of Telecommunications within the Department
588 of Management Services must disburse funds to counties
589 and provide a monthly report of such disbursements;
590 revising the composition of a committee that reviews



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591 requests for proposals from the board regarding
592 independent accounting firm selections; revising
593 provisions relating to the public safety emergency
594 communications systems fee; requiring uniform
595 application and imposition of the fee; revising the
596 factors that the board considers when setting
597 percentages or contemplating adjustments to the fee;
598 updating provisions relating to the prepaid wireless
599 public safety emergency communications systems fee;
600 revising emergency communications and 911 service
601 functions; revising the types of emergency
602 communications equipment and services that are
603 eligible for expenditure of moneys derived from the
604 fee; making technical changes; requiring that
605 decisions regarding expenditures for large-scale
606 projects be made in cooperation with specified
607 individuals; conforming cross-