#### HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HB 745 Emergency Communications SPONSOR(S): Energy, Communications & Cybersecurity Subcommittee, McFarland TIED BILLS: IDEN./SIM. BILLS: SB 1418

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Energy, Communications & Cybersecurity Subcommittee	17 Y, 0 N, As CS	Walsh	Keating
2) State Administration & Technology Appropriations Subcommittee	13 Y, 0 N	Helpling	Торр
3) Commerce Committee			

#### SUMMARY ANALYSIS

The Division of Telecommunications (Division) within the Department of Management Service (DMS) is the state entity responsible for developing, maintaining, planning, and implementing a statewide E911 system. The secretary of DMS, or his or her designee, acts as the director of the system and is authorized to coordinate the activities of the system with state, county, local, and private agencies.

The system director also serves as chair of the state's E911 Board, an 11-member body that administers funds derived from fees imposed on each user of voice communications services in Florida.

To fund Florida's E911 system, voice communications services providers collect a fee from their customers on a service identifier basis (e.g., from each active phone line or number with access to the E911 system). All collected fees are deposited into the Emergency Communications Number E911 System Fund, which is segregated into three categories (wireless, prepaid wireless, and non-wireless) and distributed as provided by law to counties and wireless service providers.

The next progression in E911 systems is referred to as Next Generation 911 (NG911). Funds distributed by the E911 Board support routine, ongoing service and maintenance costs of equipment and networks, but do not cover all costs to upgrade systems and implement NG911 technologies.

The bill modifies the powers, duties, and composition of the E911 Board, which is renamed as the Emergency Communications Board (Board), and expands the list of items that may be funded with E911 fee disbursements. The bill modifies the statutory allocation of E911 fee revenues in the wireless category to more closely match the actual allocation approved by the Board and eliminates the small remaining allocation to wireless service providers.

The bill may have an indeterminate positive fiscal impact to the state and a minimal fiscal impact on local governments and the private sector. See Fiscal Analysis & Economic Impact Statement.

The bill provides an effective date of July 1, 2023.

#### **FULL ANALYSIS**

### I. SUBSTANTIVE ANALYSIS

### A. EFFECT OF PROPOSED CHANGES:

### **Present Situation**

Since 1974, Florida law has designated the telephone number "911" as the state's emergency communications number to provide rapid direct access to public safety agencies.<sup>1</sup> In 1999, the concept of "Enhanced 911" or "E911" service was established in Florida law to describe 911 service provided to wireless telephone users.<sup>2</sup> Today, under the Emergency Communications Number E911 Act,<sup>3</sup> the term "E911," as used in Florida law, refers more broadly to an enhanced 911 system or service that provides any user of voice communications services<sup>4</sup> with 911 service. E911 service directs calls to appropriate public safety answering points (PSAPs)<sup>5</sup> by selective routing based on the geographical location from which a 911 call originated and provides for automatic number and location identification.<sup>6</sup>

The next progression in E911 systems is referred to as Next Generation 911 (NG911). According to the E911 Board's 2021 Annual Report, NG911 requires a total replacement of legacy 911 systems with Internet Protocol (IP) networks and core services. NG911 includes IP-based 911 call routing systems, geographic information systems, and management information systems to be implemented statewide with interconnectivity among systems and across jurisdictional boundaries. An NG911 call routing system is designed to handle voice, data, text and video on a standardized IP-based platform.<sup>7</sup>

#### Governance

The Division of Telecommunications (Division) within the Department of Management Service (DMS) is the state entity responsible for developing, maintaining, and implementing a statewide E911 system plan. The secretary of DMS or his or her designee acts as the director of the system and is authorized to coordinate the activities of the system with state, county, local, and private agencies. The system director must consult, cooperate, and coordinate with local law enforcement agencies.8

The system director also serves as chair of the state's E911 Board, an 11-member body that administers funds derived from fees imposed on each user of voice communications services with a Florida billing address (place of primary use). The remaining 10 members are appointed by the Governor. Five members must be county 911 coordinators, including one from a rural county, one from a medium county, one from a large county, and two at-large representatives recommended by the Florida Association of Counties in consultation with the county 911 coordinators. The other five members represent the telecommunications industry, including three representatives of local exchange companies and two representatives of the wireless industry. Members are appointed to staggered 4year terms, subject to a limit of two successive terms.<sup>9</sup>

Fundin<u>a</u>

<sup>5</sup> S. 365.172, F.S., defines a "public safety answering point" as "the public safety agency that receives incoming 911 requests for assistance and dispatches appropriate public safety agencies to respond to the requests in accordance with the state E911 plan." <sup>6</sup> E911 service provided by a wireless provider is subject to orders and rules of the Federal Communications Commission. See s. 365.172(3)(h) and (t). F.S.

<sup>7</sup> Florida Department of Management Services, 2021 E911 Board Annual Report, at p. 9-10, available at https://www.dms.myflorida.com/content/download/155677/1033501/E911BoardAnnualReportFor20202021final\_2.28.2022.pdf (last visited March 3, 2023). <sup>8</sup> S. 365.171(4) and (5), F.S. <sup>9</sup>S. 365.172(5), F.S. STORAGE NAME: h0745c.SAT DATE: 3/29/2023

<sup>&</sup>lt;sup>1</sup>Ch. 74-357. L.O.F.

<sup>&</sup>lt;sup>2</sup> See Ch. 99-367, L.O.F.

<sup>&</sup>lt;sup>3</sup>Ch. 2007-78. L.O.F.

<sup>&</sup>lt;sup>4</sup> S. 365.172, F.S., defines "voice communications services" as "two-way voice service, through the use of any technology, which actually provides access to E911 services, and includes communications services, as defined in s. 202.11, which actually provide access to E911 services and which are required to be included in the provision of E911 services pursuant to orders and rules adopted by the Federal Communications Commission. The term includes voice -over-Internet-protocol service ...."

To fund Florida's E911 system, voice communications services providers (providers) collect a fee from their customers on a service identifier basis (e.g., from each active phone line or number with access to the E911 system). The fee is imposed upon local exchange services, prepaid and billed wireless services, and other voice communications services that have access to E911 service, such as Voice over Internet Protocol.<sup>10</sup> Sellers of prepaid wireless services (sellers) must collect this fee from customers with each retail transaction in the state.<sup>11</sup> The fee is currently set at a uniform statewide rate of 40 cents per month for each service identifier.<sup>12</sup> The E911 Board is authorized to adjust the fee as necessary to ensure full recovery of the costs incurred by counties and wireless service providers to provide E911 service and to prevent over-recovery of those costs, subject to a cap of 50 cents per month for each service identifier.<sup>13,14</sup>

All collected fees are deposited into the Emergency Communications Number E911 System Fund, which is segregated into three categories: wireless, prepaid wireless, and non-wireless.<sup>15</sup> Three percent of the funds in each category is distributed by the E911 Board to rural counties to provide facilities and network and service enhancements and assistance for their 911 or E911 systems and for grants to rural counties to upgrade and replace E911 systems. Further, the E911 Board may retain no more than one percent of the funds from each category to cover its administrative costs. For Fiscal Year (FY) 2020-2021, the E911 Board distributed the remaining 96 percent of funds to counties and wireless providers as follows:<sup>16</sup>

- Wireless Category •
  - 94.75 percent to counties for authorized expenditures and costs to comply with FCC requirements for E911 service (funds allocated by county based on total number of service identifiers in each county)
  - An additional 1 percent to rural county grants 0
  - 0.25 percent to wireless service providers for reimbursement of actual costs to provide 911 or E911 service and costs to comply with FCC requirements for E911 service<sup>17</sup>
- Prepaid Wireless Category
  - 61 percent to counties for authorized expenditures (funds allocated by county based on total amount of fees reported and paid in each county)
  - 35 percent for statewide grants awarded by the E911 Board<sup>18</sup>
- Non-Wireless Category
  - 96 percent to counties for authorized expenditures (funds allocated by county based on 0 total number of service identifiers in each county

The E911 Board's 2021 Annual Report states that, for FY 2020-2021, the allocation from the wireless category to wireless service providers was decreased from 8 percent down to 0.25 percent due to a

<sup>&</sup>lt;sup>10</sup> S. 365.172(8), F.S.

<sup>&</sup>lt;sup>11</sup> S. 365,172(9), F.S. Collection is optional for prepaid wireless service sales of 10 minutes or less or \$5 or less.

<sup>&</sup>lt;sup>12</sup> S. 365.172(8), F.S. In counties that, before July 1, 2007, had adopted an ordinance or resolution establishing a fee less than 50 cents per month per line, the applicable rate may be higher than 40 cents per month, but any future changes must be consistent with the uniform statewide rate. Those counties are Duval (44 cents per month), Lee (44 cents per month), and Volusia (41 cents per month). Florida Department of Management Service, supra note 5, at 7.

<sup>&</sup>lt;sup>13</sup> Id.

<sup>&</sup>lt;sup>14</sup> The statutory fee cap of 50 cents per month has remained unchanged since its adoption in 1985. See Ch. 85-317, L.O.F.

<sup>&</sup>lt;sup>15</sup> S. 365.172(3)(k), (8)(d), and (9)(i); s. 365.173(1)(c), F.S. Each provider may retain 1 percent of collected fees as reimburs ement for its administrative costs to bill, collect, and remit the fee. Each seller of prepaid wireless service may retain 5 percent of collected fees as a collection allowance. Fees collected from prepaid wireless service are remitted to the Department of Revenue, which may retain up to 3.2 percent of remitted fees to reimburse its direct costs to administer collection and remittance of the fees.

<sup>&</sup>lt;sup>16</sup> S. 365.173 (2), F.S., specifies the allocation of these funds but authorizes the E911 Board to modify allocations if necessary to ensure full cost recovery or prevent over-recovery of costs incurred in the provision of E911 service. The allocations presented above are based on the E911 Board's 2021 Annual Report, supra note 6.

<sup>&</sup>lt;sup>17</sup> The E911 Board may use, as needed, undisbursed funds from the allotment to wireless service providers to provide grants to counties for purposes of upgrading E911 systems. S. 365.172(6)(a)3.b., F.S.

<sup>&</sup>lt;sup>18</sup> Grants awarded with these funds are prioritized as follows: first, for counties to upgrade or replace E911 systems; next, for counties to develop and maintain statewide 911 routing, geographic, and management information systems; last, for counties to develop and maintain next-generation 911 services and equipment. S. 365.173(h), F.S. STORAGE NAME: h0745c.SAT

decrease in the need for reimbursements to those providers. As a result, the allocation to counties increased by 6.75 percent, and the remaining 1 percent was allocated to rural county grants.

Authorized expenditures include all costs directly attributable to the establishment or provision of E911 service and contracting for E911 services. Specifically, these costs include the acquisition, implementation, and maintenance of PSAP equipment and E911 service features, as defined in voice communications services providers' published schedules, or the acquisition, installation, and maintenance of other E911 equipment, including:

- Circuits
- Call answering equipment
- Call transfer equipment
- ANI or ALI controllers
- ANI or ALI displays
- Station instruments
- E911 telecommunications systems
- Visual call information and storage devices
- Recording equipment
- Telephone devices and other equipment for the hearing impaired used in the E911 system
- PSAP backup power systems
- Consoles
- Automatic call distributors, and interfaces, including hardware and software, for computer-aided dispatch (CAD) systems
- Integrated CAD systems for that portion of the systems used for E911 call taking
- GIS system and software equipment and information displays
- Network clocks
- Salary and associated expenses for E911 call takers for that portion of their time spent taking and transferring E911 calls, salary, and associated expenses for a county to employ a full-time equivalent E911 coordinator position and a full-time equivalent mapping or geographical data position, and technical system maintenance, database, and administration personnel for the portion of their time spent administrating the E911 system
- Emergency medical, fire, and law enforcement prearrival instruction software
- Charts and training costs
- Training costs for PSAP call takers, supervisors, and managers in the proper methods and techniques used in taking and transferring E911 calls
- Costs to train and educate PSAP employees regarding E911 service or E911 equipment, including fees collected by the Department of Health for the certification and recertification of 911 public safety telecommunicators as required under s. 401.465, F.S.
- Expenses required to develop and maintain all information, including ALI and ANI databases and other information source repositories, necessary to properly inform call takers as to location address, type of emergency, and other information directly relevant to the E911 call-taking and transferring function
- Next-generation E911 network services, next-generation E911 database services, next-generation E911 equipment, and wireless E911 routing systems

For FY 2020-2021, the E911 Board disbursed a total of \$121.3 million. Of that amount, \$104.8 million was disbursed to counties, \$1.14 million was disbursed to wireless service providers, and \$2 million was retained to cover the operation and administration of the E911 Board. The remaining \$13.36 million was disbursed to counties as grants and supplemental disbursements.<sup>19</sup>

# Status of Statewide E911, NG-911, and Text-to-911 Services

All 67 counties in Florida maintain and upgrade non-wireless and wireless E911 systems. Funds distributed by the E911 Board support routine, ongoing service and maintenance costs of equipment

and networks, but do not cover all costs to upgrade systems and implement NG911 technologies. In 2021, fee revenue, special disbursements, and grants funded 44 percent of counties' total expenses.<sup>20</sup>

An early step toward NG911 is the provision of Text-to-911 service, which uses Short Message Service (SMS) to allows citizens who cannot hear or speak to gain access to 911 without the requirement of special equipment or subscription to relay services for the hearing and speech impaired. As of December 31, 2021, 85 percent of Florida counties (57 of 67), offered Text-to-911 service, with the remainder estimated to be completed in 2022.<sup>21</sup>

According to the E911 Board, some of the more progressive and financially capable counties in the state have already either started the NG911 planning for their counties or have begun the transition to NG-911 ready systems and networks without grant or supplemental funding sources. Some counties are taking advantage of E911 State Grant opportunities to initiate the NG911 transition.

### Effect of the Bill

The bill modifies the powers, duties, and composition of the E911 Board, which is renamed as the Emergency Communications Board (Board), and expands the list of items that may be funded with E911 fee disbursements. The bill modifies the statutory allocation of E911 fee revenues in the wireless category to more closely match the actual allocation approved by the Board and eliminates the small remaining allocation to wireless service providers.

The bill amends the short title of s. 365.172, F.S., to reflect a move away from using the term "E911" in statute, by renaming the section the "Emergency Communications Act" (Act). The bill further reflects this change by replacing or striking language referencing "E911" throughout ss. 365.171-365.174, F.S., s. 365.177, F.S., and s. 212.05965, F.S.

The bill modifies the legislative intent of the Act. Per the changes in the bill, it is the intent of the Legislature that the Act:

- Establish and implement statewide emergency communications and response capabilities using modern technologies and methods;
- Provide funds to counties and state agencies that operate 911 centers for the costs of public safety and emergency response capabilities and costs incurred to purchase, upgrade, and maintain 911, computer aided dispatch, and interoperable radio communications systems;
- Levy a reasonable fee on users of voice communications services to accomplish these purposes;
- Provide for an Emergency Communications Board that is competitively and technologically neutral as to all communications services providers, not just voice communications services providers; and
- Ensure that the fee established by the Act for emergency communications systems is used exclusively by counties and state agencies that operate 911 centers.

The bill modifies the powers, duties, and composition of the newly renamed Emergency Communications Board (Board). The bill states that the Board, with oversight by the Division of Telecommunications (Division), is established to:

- Administer governance for how emergency infrastructure and information are handled from receipt at a PSAP and routing to first responders;
- Create a financial model for the state government and local governments to use existing revenue sources to invest in public safety communication and technology for first responders; and
- Administer a financially stable model of public safety communications and technology that will benefit the state government, local government, residents, and visitors.

The bill specifies that the public safety funding administered by the board is not limited to, but must focus on:

- Next Generation 911 (NG911);<sup>22</sup>
- Emergency Services IP Network (ESInet);
- Computer Aided Dispatch (CAD);<sup>23</sup>
- Interfaces, including Land Mobile Radio (LMR), Smart City Technology, and In-Building Coverage;
- Public Safety Broadband Networks; and
- Cybersecurity.

The bill revises the structure of the Board, by reducing the number of Board members from eleven to nine, one of whom must be the system director. The bill states that the remaining eight members of the Board must be Florida residents and appointed by the Governor. The bill provides that consideration should be given for members from rural, medium, and large counties from a broad range of fields, including, but not limited to, experience in law enforcement, fire response, emergency medical services, 911 coordination, public safety dispatch, and telecommunications. The bill updates how the Governor may initially appoint members, by staggering the terms for which the initial Board members may be appointed.

Under the bill, the Board is given the additional responsibility of ensuring the interoperability of and connectivity between public safety communication systems within the state, such as:

- Call routing accuracy and timeliness of response;
- Improved interagency communication and situational awareness;
- Improved interagency connectivity;
- Improved response times;
- Maximized use of emerging technologies;
- Improved lifecycle management of the emergency response systems, equipment, and services that enable public safety officials to share information securely;
- Developed governance, policy, and procedure across public safety agencies; and
- Established resilient and secure emergency communication systems to reduce cybersecurity threats and vulnerabilities.

The bill provides that the Board may create subcommittees to advise the Board as needed.

The bill specifies that the Board may establish a schedule for implementing NG911 systems, public radio communications systems, and other public safety radio communications improvements. The bill authorizes the Board to prioritize disbursement of revenues pursuant to the established schedule in order to implement 911 services in the most efficient and cost-effective manner.

Under the current law, the Board must establish a committee to review requests for proposals. The bill removes the requirement that the committee include two members of the board, one of which is a county 911 coordinator and one of which represents a voice communications services provides.

Per the bill, the Board is also responsible for administering the Public Safety Emergency Communications Systems Fee (formerly the "E911" fee), including receiving revenues, distributing portions of the revenues, accounting for the moneys maintained in the fund, and providing annual reports for review and submission to the Governor and the Legislature.

<sup>23</sup> The bill defines "Computer Aided Dispatch" or "CAD" as "a computerized system for entering, tracking, dispatching, and resolving requests for public safety services." STORAGE NAME: h0745c.SAT PAG

<sup>&</sup>lt;sup>22</sup> The bill defines "Next Generation 911" or "NG911" as an Internet Protocol (IP) -based system comprised of:

Managed EmergencyServices IP networks (ESInets);

<sup>•</sup> Functional elements (applications); and

<sup>•</sup> Databases that replicate traditional E911 features and functions and provide additional capabilities.

The bill further clarifies that the NG911 system is "designed to provide access to emergency services from all connected communications sources and provide multimedia data capabilities for Public Safety Answering Points (PSAPs) and other emergency service organizations."

The bill states that before the Board distributes revenue from the fund, it must provide 90 days' written notice to all counties and state agencies that operate 911 centers, and publish electronically an approved application process. The bill provides means by which county applications must be prioritized, which shall be based on the availability of funds, current system life expectancy, and system replacement needs. The board must, within its authority, ensure that county recipients of the funds use the funds only for the purpose under which they were provided. If the Board determines that the funds were not used for the purpose for which they were provided, the Board may, within its authority, secure county repayment of such funds.

The bill specifies that the Board must meet quarterly to review and authorize the schedule of fee allocation transfers and distributions to the counties and state agencies that operate 911 centers.

The bill strikes the following provisions under current law related to the Public Safety Emergency Communications Systems Fee:

- A county that before July 1, 2007, had a adopted an ordinance or resolution establishing a fee of less than 50 cents per month per access line is an exception to the requirement that the fee of 40 cents per month be applied uniformly and throughout the state; and
- The requirement that when the Board sets percentages or contemplates any adjustments to the fee, that the Board consider revenues currently allocated for wireless service provider costs for implementing E911 service and projected costs for implementing E911 service, including recurring costs for Phase I and Phase II and the effect of new technologies.

For the purposes of the fees, the bill states that emergency communications and 911 service include the functions relating to the receipt and transfer of requests for emergency assistance, of database management, call taking, and location verification. The bill also updates the list of costs that are eligible for expenditure of moneys derived from imposition of the fee, and requires that these costs be attributable to emergency communications equipment and services related to a primary or secondary public safety answering point. These costs now include:

- NG911 telecommunications systems;
- Emergency Services IP Network ESInet;
- Automatic call distributors,
- Interfaces, including hardware and software, for CAD systems, public safety land mobile radio systems (LMR) and radios consoles that provide two-way communication with responders, and in-building coverage;
- Cybersecurity, including hardware, software, and services;
- Salary associated with expenses for all 911 call takers and emergency dispatchers;
- Training costs for dispatchers in proper methods and techniques used in taking and transferring 911 calls;
- Costs to train and educate employees regarding 911 radio service or NG911 equipment; and
- Expenses required to develop and maintain all databases and information source repositories necessary to properly inform call takers as to smart city technology data, public safety broadband networks, and other information directly relevant to the processing of a request for emergency assistance.

The bill further clarifies that money from the fee may not be used for costs for utilities.

The bill modifies the statutory allocation of fee revenues in the wireless category by providing that:

- Ninety-four of the funds shall be distributed each month to counties, based on the total number of service identifiers in each county and shall be used exclusively for payment of authorized expenditures;
- One percent of the funds shall be distributed to state agencies that operate 911 centers and shall be used exclusively for authorized expenditures;
- An additional one percent of the funds shall be used to make monthly distributions to rural counties for certain purposes; and
- The Board will no longer transfer twenty percent of the funds to wireless providers for the cost of operating 911 or E911 services.

Lastly, the bill provides that the Division shall develop a new plan by December 30, 2023, to upgrade 911 public safety answering points within the state to allow the transfer of an emergency call from one local, multijurisdictional, or regional E911 system to another local, multijurisdictional, or regional E911 system in the state.

The bill provides an effective date of July 1, 2023.

- B. SECTION DIRECTORY:
  - Section 1. Amends s. 365.172, F.S., relating to emergency communications.
  - Section 2. Amends s. 365.173, F.S., relating to Emergency Communications Fund.
  - Section 3. Amends s. 365.177, F.S., relating to transfers of E911 calls between systems.
  - Section 4. Amends s. 212.05965, F.S., relating to taxation of marketplace sales.
  - Section 5. Amends s. 365.171, F.S., relating to emergency communications state plan.
  - Section 6. Amends s. 365.174, F.S., relating to proprietary confidential business information.
  - **Section 7.** Provides an effective date of July 1, 2023.

# II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

- A. FISCAL IMPACT ON STATE GOVERNMENT:
  - 1. Revenues:

The bill may increase revenues to state agencies to the extent that funds are transferred for the operation of state 911 call centers.

2. Expenditures:

The bill authorizes public safety emergency communications fees to be used by state agencies that have 911 call centers to pay for costs associated with public safety emergency response capabilities and costs incurred to purchase, upgrade, and maintain 911 systems, computer aided dispatch, and systems to create interoperable radio communications systems.

## B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

- 3. Three counties (Duval, Lee, and Volusia) will see a slight reduction in fee revenues from their Local Exchange Carriers (LECs). Currently Duval and Lee receive \$0.44 and Volusia \$0.41 per subscriber from their LECs and \$0.40 from VoIP, wireless and prepaid providers. All other counties receive \$0.40 across the board. This legislation will bring Duval, Lee and Volusia counties into alignment with the rest of the state. The decrease in revenue for these counties will be mitigated by the increase of wireless and VoIP subscribers as LEC subscribers upgrade to newer technology.<sup>24</sup>
- 2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Wireless carries may see a small decrease in funds used for 911 implementation.

FISCAL COMMENTS:

None.

# III. COMMENTS

# A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. This bill does not appear to require counties or municipalities to spend funds or take action requiring the expenditures of funds; reduce the authority that counties or municipalities have to raise revenues in the aggregate; or reduce the percentage of state tax shared with counties or municipalities.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

The bill indicates that the Board is established to "[a]dminister governance for how emergency infrastructure and information, such as voice, text, data, and images, are handled from receipt at a PSAP and routing to first responders". This language is ambiguous as to whether the Board must adopt policies, enforce them, or both.

The bill also states that the Board is established to "[a]dminister a financially sustainable model dedicated to public safety communications and technology . . ." The bill does not indicate what type of model is contemplated.

The bill uses the term "Smart City Technology," but this term is not defined.

# IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

On March 7, 2023, the Energy, Communications & Cybersecurity Subcommittee adopted a strike-all amendment and reported the bill favorably as a committee substitute. The amendment:

- Corrects obsolete references to "E911;"
- Clarifies the services on which public safety funding must be focused;

- Changes the number of Board members and refines the criteria and process for Board member appointment;
- Requires that the Board notify state agencies that operate 911 centers of an approved application process for funding;
- Reinserts the following provisions:
  - Providers are not obligated to take legal action to enforce collecting the public safety emergency communications systems fee (fee) from customers, and
  - A county subscribing to 911 service remains liable for charges owed to the provider delivering the 911 service or equipment;
- Clarifies that services related to a primary or secondary PSAP are eligible for funds derived from the fee;
- Updates the following items eligible to receive funds derived from the fee:
  - Types of radios, and
  - Types of databases and other information source repositories;
- Changes the percentage of funds in the wireless category to be distributed each month to counties to ninety-four percent;
- Requires one percent of the funds in the wireless category to be distributed to state agencies that operate 911 centers; and
- Clarifies that distributed funds shall be used for *authorized* expenditures.

This analysis is drafted to the committee substitute as passed by the Energy, Communications & Cybersecurity Subcommittee.