

HB 653 -- Emergency Communications Service

Sponsor: Lauer

This bill changes the laws regarding emergency communications services and the Advisory Committee for 911 Service Oversight, imposes a statewide prepaid wireless emergency telephone service charge, and repeals the provisions regarding the Wireless Service Provider Enhanced 911 Advisory Board.

EMERGENCY COMMUNICATION SERVICES

The bill:

(1) Requires a call taker employed by a dispatch agency that receives emergency calls and dispatches services to be certified as an emergency medical dispatcher;

(2) Changes the name of the Wireless Service Provider Enhanced 911 Service Fund to the Missouri 911 Service Fund;

(3) Authorizes counties to impose by order or ordinance a monthly fee, not to exceed \$1.50 per device, on any device capable of contacting 911 solely for the purpose of funding 911 service in the county upon approval by the voters of the county. All revenue from this fee will be deposited into the Missouri 911 Service Fund to be remitted monthly by the State Treasurer to the county commission that will control the funds unless the county has established an elected board to administer the funds. The fee:

(a) Will be in lieu of the emergency telephone tax levy authorized under Section 190.305, RSMo, or the county sales tax authorized under Section 190.335 for funding the central dispatch of emergency services;

(b) Will not be imposed upon prepaid wireless telecommunications service customers who will be subject to the charge imposed under Section 190.451; and

(c) Cannot be imposed upon any landline capable of contacting 911 if the landline already is subject to a tax or fee imposed for the purpose of funding 911 service.

STATEWIDE PREPAID WIRELESS EMERGENCY TELEPHONE SERVICE CHARGE

The bill imposes a statewide prepaid wireless emergency telephone service charge of 3% on each retail purchase of prepaid wireless telecommunications service. The amount of the charge must be separately stated to the consumer on an invoice, receipt, or other

similar document or otherwise disclosed. If the sale of a prepaid wireless device includes 10 or fewer minutes or \$5 or less of wireless emergency telephone service, the seller can elect not to apply the service charge to the transaction. The bill specifies the types of retail transactions that will be deemed to have occurred in this state.

The amount of the service charge that is separately stated on an invoice, receipt, or other similar document cannot be included in the base for measuring any tax, fee, surcharge, or other charge imposed by the state, any political subdivision of the state, or any intergovernmental agency.

The bill specifies that a provider of wireless service must be entitled to the immunity and liability protections under Section 190.450. A seller that is not a wireless service provider must be entitled to the immunity and liability protections under Section 190.450, regardless of any state law regarding compliance with Federal Communications Commission Order 05-116.

The prepaid wireless service charge established by the bill will be the only 911 funding obligation imposed with respect to prepaid wireless service in this state; and no tax, fee, surcharge, or other charge can be imposed by the state, any political subdivision of the state, or any intergovernmental agency for 911 purposes upon any provider, seller, or consumer with respect to the sale, purchase, use, or provision of prepaid wireless telecommunications service.

MISSOURI 911 SERVICE BOARD

The bill changes the name of the Advisory Committee for 911 Service Oversight to the Missouri 911 Service Board, reduces the number of committee members from 16 to 12, and changes the composition of the board. Additional new powers and responsibilities of the board are specified, including:

- (1) Electing the chair from its membership;
- (2) Designating a state 911 coordinator;
- (3) Applying for and receiving private and federal grants;
- (4) Preparing and presenting a report to the Governor and General Assembly on the state of the state's 911 systems every five years, including specific efforts to improve efficiency, cost effectiveness, and levels of service;
- (5) Administering and authorizing grants and loans to counties

that demonstrate a commitment to improving 911. The purpose of grants from the 911 fund include:

- (a) Implementation of 911 services in every county of the state;
- (b) Promotion of consolidation where appropriate; and
- (c) Mapping and addressing all county locations;
- (6) Conducting a survey every five years of public safety answering points in Missouri to evaluate potential for improved services, coordination, and feasibility of consolidation; and
- (7) Making and executing contracts or any other instruments and agreements necessary or convenient for the exercise of its powers and functions.

WIRELESS SERVICE PROVIDER ENHANCED 911 ADVISORY BOARD

The bill repeals the provisions regarding the Wireless Service Provider Enhanced 911 Advisory Board.