

## **BILL ANALYSIS**

C.S.H.B. 2911  
By: White  
Homeland Security & Public Safety  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

There is a growing number of calls to 9-1-1 for emergency assistance that originate from digital communications devices. However, the backbone of most of the existing 9-1-1 systems is built on an outdated legacy telecommunications infrastructure that is unprepared to meet the challenges and disparities revealed by the exponential growth and ubiquitous use of digital communications technologies. The next generation of 9-1-1 (NG9-1-1) service helps address these challenges and disparities by using the inherent efficiencies of digital communication technology to improve emergency communications.

NG9-1-1 service not only allows for numerous increased operational and communications benefits for the public interacting with 9-1-1 systems but also provides critically needed reliability for 9-1-1 systems going forward. The transition to NG9-1-1 service is costly and the increased costs vary for each of the more than 70 jurisdictional 9-1-1 entities in Texas based on existing infrastructure and on operational and geographical factors.

In recognition of that much-needed and long-delayed transition to NG9-1-1 service, while accommodating the unique needs of the Greater Harris County 9-1-1 Emergency Network in consideration of its large population, C.S.H.B. 2911 seeks to provide for the deployment of NG9-1-1 statewide by September 1, 2025, and to increase the existing wireless 9-1-1 fee to help fund that deployment and the ongoing reliable operation of NG9-1-1 service.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 2911 amends the Health and Safety Code to provide for the statewide deployment of next generation 9-1-1 service (NG9-1-1). That deployment must be complete before September 1, 2025.

C.S.H.B. 2911 increases the amount of the monthly emergency service fee for wireless telecommunications connections collected by wireless service providers from each subscriber from 50 cents to 75 cents and includes the deployment and reliable operation of NG9-1-1 among the authorized uses of the money collected from the fee. However, the bill amends provisions governing the Greater Harris County 9-1-1 Emergency Network to authorize the network to set

its own local wireless 9-1-1 service fee within certain specified limits up to a cap of 75 cents per month.

C.S.H.B. 2911 provides for the funding of NG9-1-1 service in the Greater Harris County 9-1-1 Emergency Network outside of the general statewide framework. The bill authorizes the network to impose its own 9-1-1 emergency service fee on each wireless telecommunications connection in the network to provide for automatic number identification and automatic location identification of wireless 9-1-1 calls and the deployment and reliable operation of NG9-1-1. With respect to the fee imposed by the Greater Harris County 9-1-1 Emergency Network, the bill does the following:

- caps the amount of this fee at 75 cents a month per connection and prohibits the amount of the fee from being increased by more than 10 percent of the monthly fee amount imposed in the preceding year each time the fee amount is set;
- provides that the amount collected by a wireless service provider from the fee is due monthly;
- requires the wireless service provider collecting the fee to remit the amount collected in a calendar month to the comptroller of public accounts not later than the 30th day after the last day of the calendar month;
- requires the provider to file with each payment a return in the form prescribed by the comptroller or in a comparable form generated by the provider's billing system;
- requires the comptroller to deposit the money remitted in a trust fund in the state treasury for the benefit of the network until distributed to the network;
- requires the Commission on State Emergency Communications (CSEC), not later than the 15th day following the last day of the month in which the money is collected, to provide to the network a copy of the confidential returns filed by each provider and distribute to the network the total amount of money remitted to the comptroller from connections in the network;
- expands the scope of certain existing provisions governing the imposition, collection, and use of the network's fee on wireline service users to apply also to the wireless 9-1-1 emergency service fee; and
- prohibits the CSEC from imposing a fee on a wireless telecommunications connection in the network that is imposed for the same purposes as the network's fee.

The bill does, however, require that the network be included in the collection and distribution of prepaid wireless 9-1-1 emergency service fees.

C.S.H.B. 2911 repeals a provision providing for the reimbursement of a wireless service provider for reasonable expenses for network facilities used for 9-1-1 service. The bill's changes to law apply only to a fee imposed or expense that is due during a billing cycle that occurs on or after January 1, 2022.

C.S.H.B. 2911 repeals Sections 771.0711(g) and (j), Health and Safety Code.

### **EFFECTIVE DATE**

September 1, 2021.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 2911 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

While the original and the substitute each provide for the statewide deployment of NG9-1-1 by September 1, 2025, the substitute omits all other provisions of the original regarding the funding structure for and deployment of NG9-1-1 service, including provisions relating to the imposition, collection, and use of certain fees and the remittance of certain money collected to

the comptroller, actions required before imposition of a service fee on certain wireless telecommunications connections, the adoption of plans for the implementation and provision of NG9-1-1, and a monthly reporting requirement for each wireless service provider.

Whereas the original established a new funding scheme with monthly fees in an amount equal to either \$0.75, \$1, or \$1.25, the substitute retains the existing monthly fee but increases the fee from \$0.50 to \$0.75.

Additionally, the substitute provides for the board of managers of the Greater Harris County 9-1-1 Emergency Network to set its 9-1-1 wireless emergency service fee annually separate from the statewide funding structure with a ten percent limit on annual increases up to a cap of 75 cents per month. The original did neither.