

SUBJECT: Increasing 9-1-1 service fee; providing for next generation 9-1-1 service

COMMITTEE: Homeland Security and Public Safety — committee substitute recommended

VOTE: 6 ayes — White, Bowers, Goodwin, Harless, E. Morales, Patterson
3 nays — Hefner, Schaefer, Tinderholt

WITNESSES: For — Chip VanSteenberg, Montgomery County 911; Michael Tomsu, Texas 9-1-1 Alliance; Mark Allen, Texas Association of Regional Councils; (*Registered, but did not testify*: Erin Burget, AT&T; Lee Kleinman, City of Dallas; Charley Wilkison, Combined Law Enforcement Associations of Texas; Frederick Frazier, Dallas Police Association FOP 716, Legislative Director State FOP; Stan Heffernan, Greater Harris County 911; Jill Glover, Republican Party of Texas; James Goerke and Shayne Woodard, Texas 9-1-1 Alliance; Monty Wynn, Texas Municipal League; Mark Seale, Texas Telephone Association)

Against — None

On — Kelli Merriweather, Commission on State Emergency Communications

BACKGROUND: Health and Safety Code sec. 771.0711 requires the Commission on State Emergency Communications to impose a 9-1-1 emergency service fee on each wireless telecommunications connection. The 9-1-1 service fee is currently 50 cents a month.

Money collected may be used only for 9-1-1 related services, including automatic number identification and automatic location information services. Within 15 days of the end of the month in which the money is collected, the commission has to distribute to each emergency communication district that does not participate in the state system a portion of the money that bears the same proportion to the total amount collected that the population of the area served by the district bears to the

population of the state. The remaining money is deposited to the 9-1-1 services fee account.

Sec. 771.0712 requires a prepaid wireless 9-1-1 emergency services fee of two percent of the price of each prepaid wireless telecommunications service purchased to be collected from the consumer, remitted to the comptroller, and distributed consistent with the procedures in place for the emergency services fee under sec. 771.0711.

47 U.S.C. sec. 942 defines "next generation 9-1-1 service" as an IP-based system comprised of hardware, software, data, and operational policies and procedures that:

- provides standardized interfaces from emergency call and message services to support emergency communications;
- processes all types of emergency calls, including voice, data, and multimedia information;
- acquires and integrates additional emergency call data useful to call routing and handling;
- delivers the emergency calls, messages, and data to the appropriate public safety answering point and other appropriate emergency entities;
- supports data or video communications needs for coordinated incident response and management; and
- provides broadband service to public safety answering points or other first responder entities.

Some have noted that while an increasing number of 9-1-1 calls originate from digital communications devices, the backbone of most 9-1-1 systems is built on outdated legacy telecommunications infrastructure. Next generation 9-1-1 could help address these challenges by using digital communication technology to improve emergency communications; however, the transition would be costly and the costs would vary across the state. Some have suggested increasing the existing 9-1-1 fee to help fund the deployment while taking steps to accommodate the unique needs of the Greater Houston County 9-1-1 Emergency Network.

DIGEST: CSHB 2911 would require all parts of the state to be covered by next generation 9-1-1 service by September 1, 2025.

The bill would increase the 9-1-1 emergency service fee from 50 to 75 cents a month. The bill also would expand its uses to include the deployment and reliable operation of next generation 9-1-1 service.

The bill would exclude emergency communications districts in certain counties with populations over two million (Greater Harris County 9-1-1 Emergency Network) from the distribution procedures for the emergency services fee under Health and Safety Code sec. 722.0711. The Greater Harris County 9-1-1 Emergency Network would have to be included in the collection and distribution of prepaid wireless 9-1-1 emergency service fees under sec. 772.0712.

In addition to the 9-1-1 emergency service fee the Greater Harris County 9-1-1 Emergency Network imposes on line service users, the board of the district could impose a 9-1-1 emergency service fee on each wireless telecommunications connection in the district to provide for automatic number and location identification of wireless 9-1-1 calls and the deployment and reliable operation of next generation 9-1-1 service. The bill would extend provisions governing the imposition, collection, and use of the district's fee on wire service users to apply to the wireless 9-1-1 emergency fee established by the bill.

The fee imposed on wireless telecommunications connections could not exceed 75 cents a month for each connection and could not increase by more than 10 percent of the monthly fee imposed in the preceding year each time the fee was set.

The amount collected by a wireless service provider from the fee would be due monthly, and the provider would have to remit the collected amount to the comptroller no later than 30 days after the last day of the month. The comptroller would have to deposit the money in a trust fund in the state treasury for the benefit of the district. No later than 15 days

following the last day of the month in which the money was collected, the Commission on State Emergency Communications would have to distribute to the Greater Harris County 9-1-1 Emergency Network the total amount of money remitted to the comptroller.

The Commission on State Emergency Communications would be prohibited from imposing on a wireless telecommunications connection in the district a fee for financing state emergency communications that was imposed for the same purposes.

The bill would repeal a provision providing for the reimbursement of wireless service providers for certain expenses related to 9-1-1 service.

The bill would take effect September 1, 2021, and would apply only to a fee imposed or expense that was due during a billing cycle that occurred on or after January 1, 2022.

NOTES:

According to the Legislative Budget Board, the bill would result in a positive impact on the fund balance of the general revenue dedicated 9-1-1 Service Fees Account of \$6.5 million in fiscal 2022 and \$13.1 million in fiscal 2023.