

HOUSE BILL 1105

E4

2lr0955
CF SB 633

By: **Delegate Hill**

Introduced and read first time: February 10, 2022

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 30, 2022

CHAPTER _____

1 AN ACT concerning

2 **Public Safety – 9–1–1 Emergency Telephone System – Alterations**

3 FOR the purpose of making alterations to the 9–1–1 Emergency Telephone System in the
4 State; altering the classification ~~and compensation~~ of 9–1–1 specialists; authorizing
5 9–1–1 specialists to seek certain treatment confidentially; requiring the Maryland
6 9–1–1 Board to establish certain procedures governing vacancies on the Board;
7 altering the powers and duties of the Board with respect to public safety answering
8 point personnel training and cybersecurity standards; requiring the Comptroller to
9 submit certain updates regarding certain audits; altering the maximum amount of
10 the county 9–1–1 fee that a county may impose under certain circumstances; and
11 generally relating to 9–1–1 emergency telephone systems.

12 BY repealing and reenacting, with amendments,

13 Article – Public Safety

14 Section 1–301, 1–302.1, 1–304.2, 1–305(c), 1–306(b)(15) and (e), 1–307, 1–309.1,
15 1–310(f), and 1–311

16 Annotated Code of Maryland

17 (2018 Replacement Volume and 2021 Supplement)

18 BY repealing

19 Article – Public Safety

20 Section 1–305(d)

21 Annotated Code of Maryland

22 (2018 Replacement Volume and 2021 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 BY adding to
2 Article – Public Safety
3 Section 1–305(d)
4 Annotated Code of Maryland
5 (2018 Replacement Volume and 2021 Supplement)

6 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
7 That the Laws of Maryland read as follows:

8 **Article – Public Safety**

9 1–301.

10 (a) In this subtitle the following words have the meanings indicated.

11 (b) “Board” means the Maryland 9–1–1 Board.

12 (c) “Commercial mobile radio service” or “CMRS” means mobile
13 telecommunications service that is:

14 (1) provided for profit with the intent of receiving compensation or
15 monetary gain;

16 (2) an interconnected, two–way voice service; and

17 (3) available to the public.

18 (d) “Commercial mobile radio service provider” or “CMRS provider” means a
19 person authorized by the Federal Communications Commission to provide CMRS in the
20 State.

21 (e) “County 9–1–1 fee” means the fee imposed by a county in accordance with §
22 1–311 of this subtitle.

23 (f) “County plan” means a plan for a 9–1–1 system or enhanced 9–1–1 system, or
24 an amendment to the plan, developed by a county or several counties together under this
25 subtitle.

26 (g) (1) “Customer” means:

27 (i) the person that contracts with a home service provider for CMRS;
28 or

29 (ii) the end user of the CMRS if the end user of the CMRS is not the
30 contracting party.

31 (2) “Customer” does not include:

1 (i) a reseller of CMRS; or

2 (ii) a serving carrier under an arrangement to serve the customer
3 outside the home service provider's licensed service area.

4 (h) "Enhanced 9-1-1 system" means a 9-1-1 system that provides:

5 (1) automatic number identification;

6 (2) automatic location identification; and

7 (3) any other technological advancements that the Board requires.

8 (i) "FCC order" means an order issued by the Federal Communications
9 Commission under proceedings regarding the compatibility of enhanced 9-1-1 systems and
10 delivery of wireless enhanced 9-1-1 service.

11 (j) **(1) "FIRST RESPONDER" MEANS AN EMPLOYEE OF A STATE OR LOCAL
12 PUBLIC SAFETY AGENCY THAT PROVIDES EMERGENCY RESPONSE SERVICES.**

13 **(2) "FIRST RESPONDER" INCLUDES:**

14 **(I) A FIREFIGHTER;**

15 **(II) A PARAMEDIC;**

16 **(III) AN EMERGENCY MEDICAL TECHNICIAN;**

17 **(IV) A RESCUE SQUAD MEMBER;**

18 **(V) A SWORN MEMBER OF THE OFFICE OF THE STATE FIRE
19 MARSHAL;**

20 **(VI) A MEMBER OF A VOLUNTEER FIRE OR RESCUE COMPANY
21 WHO IS A COVERED EMPLOYEE UNDER § 9-234 OF THE LABOR AND EMPLOYMENT
22 ARTICLE;**

23 **(VII) AN INDIVIDUAL WHO IS LICENSED OR CERTIFIED UNDER §
24 13-516 OF THE EDUCATION ARTICLE; AND**

25 **(VIII) A 9-1-1 SPECIALIST.**

26 **(K) "Home service provider" means the facilities-based carrier or reseller that
27 contracts with a customer to provide CMRS.**

1 **[(k)] (L)** “Next Generation 9–1–1 services” means an Internet Protocol
2 (IP)–based system, comprised of hardware, software, data, and operational policies and
3 procedures, that:

4 (1) provides standardized interfaces from emergency call and message
5 services to support emergency communications;

6 (2) processes all types of requests for emergency services, including voice,
7 text, data, and multimedia information;

8 (3) acquires and integrates additional emergency call data useful to
9 routing and handling of requests for emergency services;

10 (4) delivers the emergency calls, messages, and data to the appropriate
11 public safety answering point and other appropriate emergency entities;

12 (5) supports data or video communications needs for coordinated incident
13 response and management; and

14 (6) provides broadband service to public safety answering points or other
15 first responder entities.

16 **[(l)] (M)** “9–1–1–accessible service” means telephone service or another
17 communications service that connects an individual dialing the digits 9–1–1 to an
18 established public safety answering point.

19 **[(m)] (N)** (1) “9–1–1 service carrier” means a provider of CMRS or other
20 9–1–1–accessible service.

21 (2) “9–1–1 service carrier” does not include a telephone company.

22 **[(n)] (O)** “9–1–1 specialist” means an employee of a county public safety
23 answering point, or an employee working in a county public safety answering point, whose
24 duties and responsibilities include:

25 (1) receiving and processing 9–1–1 requests for emergency services;

26 (2) other support functions directly related to 9–1–1 requests for
27 emergency services; or

28 (3) dispatching law enforcement officers, fire rescue services, emergency
29 medical services, and other public safety services to the scene of an emergency.

30 **[(o)] (P)** (1) “9–1–1 system” means telephone service that:

31 (i) meets the planning guidelines established under this subtitle;

32 and

1 (ii) automatically connects an individual dialing the digits 9-1-1 to
2 an established public safety answering point.

3 (2) "9-1-1 system" includes:

4 (i) equipment for connecting and outswitching 9-1-1 calls within a
5 telephone central office;

6 (ii) trunking facilities from a telephone central office to a public
7 safety answering point; and

8 (iii) equipment to connect 9-1-1 calls to the appropriate public safety
9 agency.

10 [(p)] (Q) "9-1-1 Trust Fund" means the fund established under § 1-308 of this
11 subtitle.

12 [(q)] (R) "Prepaid wireless E 9-1-1 fee" means the fee that is required to be
13 collected by a seller from a consumer in the amount established under § 1-313 of this
14 subtitle.

15 [(r)] (S) "Prepaid wireless telecommunications service" means a commercial
16 mobile radio service that:

17 (1) allows a consumer to dial 9-1-1 to access the 9-1-1 system;

18 (2) must be paid for in advance; and

19 (3) is sold in predetermined units that decline with use in a known amount.

20 [(s)] (T) "Public safety agency" means:

21 (1) a functional division of a public agency that provides fire fighting,
22 police, medical, or other emergency services; or

23 (2) a private entity that provides fire fighting, police, medical, or other
24 emergency services on a voluntary basis.

25 [(t)] (U) "Public safety answering point" means a communications facility that:

26 (1) is operated on a 24-hour basis;

27 (2) first receives 9-1-1 requests for emergency services in a 9-1-1 service
28 area; and

29 (3) as appropriate:

- 1 (i) dispatches public safety services directly;
- 2 (ii) transmits incident data to appropriate public safety agencies
3 within the State for the dispatch of public safety services; or
- 4 (iii) transfers 9-1-1 requests for emergency services or transmits
5 incident data to:
- 6 1. an appropriate federal emergency communication center
7 responsible for the delivery of public safety services on a federal campus or federal
8 reservation; or
- 9 2. an appropriate public safety answering point located
10 within or outside the State.

11 [(u)] (v) “Secretary” means the Secretary of Emergency Management.

12 [(v)] (w) “Seller” means a person that sells prepaid wireless telecommunications
13 service to another person.

14 [(w)] (x) “State 9-1-1 fee” means the fee imposed in accordance with § 1-310 of
15 this subtitle.

16 [(x)] (y) “Wireless enhanced 9-1-1 service” means enhanced 9-1-1 service
17 under an FCC order.

18 1-302.1.

19 (a) The General Assembly finds that 9-1-1 specialists are key members of the
20 team of public safety personnel responding to requests from the public for emergency
21 assistance.

22 (b) [It is the intent of the General Assembly that jurisdictions] **EACH**
23 **JURISDICTION** employing 9-1-1 specialists **SHALL**:

24 (1) appropriately classify 9-1-1 specialists **AS FIRST RESPONDERS** in
25 recognition of the training, knowledge, and skills that 9-1-1 specialists possess and
26 demonstrate in answering and handling requests for emergency assistance; and

27 (2) compensate 9-1-1 specialists in a manner that:

28 (i) reflects their membership in the team of public safety personnel
29 answering and responding to requests for emergency assistance; ~~and~~

1 (ii) is commensurate with the training, knowledge, and skills they
2 possess;~~AND.~~

3 ~~(iii) EXCEEDS THE MINIMUM WAGE RATE REQUIRED IN § 3-413~~
4 ~~OF THE LABOR AND EMPLOYMENT ARTICLE.~~

5 1-304.2.

6 (A) Each public safety answering point shall adopt and implement programs
7 compliant with best practices on 9-1-1 acute/traumatic and chronic stress management.

8 (B) (1) A 9-1-1 SPECIALIST MAY, AS PART OF OCCUPATIONAL
9 WELL-BEING STANDARDS AND PRACTICES, SEEK TREATMENT FOR JOB-RELATED
10 AUDIBLE OR VISUAL TRAUMA WITHOUT INFORMING ANYONE.

11 (2) EXCEPT AS OTHERWISE PROVIDED UNDER TITLE 9, SUBTITLE 1
12 OF THE COURTS ARTICLE, COMMUNICATIONS BETWEEN A 9-1-1 SPECIALIST AND A
13 TREATMENT PROVIDER THAT OCCUR IN CONNECTION WITH THE TREATMENT OF
14 JOB-RELATED AUDIBLE OR VISUAL TRAUMA SHALL BE CONFIDENTIAL.

15 1-305.

16 (c) (1) The term of a member is 4 years and begins on July 1.

17 (2) The terms of the members are staggered as required by the terms
18 provided for members of the Board on October 1, 2003.

19 (3) At the end of a term, a member continues to serve until a successor is
20 appointed and qualifies.

21 (4) (I) If a vacancy occurs after a term has begun, the Governor shall
22 appoint a successor to represent the organization or group in which the vacancy occurs.

23 (II) THE BOARD, IN CONSULTATION WITH THE MARYLAND
24 DEPARTMENT OF EMERGENCY MANAGEMENT, SHALL DEVELOP AND ESTABLISH
25 PROCEDURES FOR:

26 1. FILLING A VACANCY AS SOON AS PRACTICABLE AFTER
27 THE VACANCY OCCURS; AND

28 2. ENSURING CANDIDATES FOR FILLING A VACANCY
29 HAVE APPROPRIATE EXPERTISE AND A COMMITMENT TO IMPROVING 9-1-1
30 SERVICES IN THE STATE.

(5) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.

[(d) The Governor shall appoint a chairperson from among the Board members.]

(D) FROM AMONG ITS MEMBERS, THE BOARD SHALL ELECT A CHAIR AND VICE CHAIR.

1-306.

(b) The Board's responsibilities include:

(15) establishing training standards for public safety answering point personnel based on national best practices, including training concerning:

(I) Next Generation 9-1-1 topics; [and]

(II) individual psychological well-being and resilience; AND

(III) SUBJECT TO SUBSECTION (E)(2) OF THIS SECTION, IMPLICIT BIAS TRAINING;

(e) (1) **(I)** The standards established by the Board under subsection (b)(15) of this section shall include onboarding standards for newly hired 9-1-1 specialists and minimum continuing education standards for 9-1-1 specialists.

(II) THE BOARD SHALL DEVELOP CRITERIA AND APPROVE THE INITIAL AND ONGOING TRAINING CURRICULUM FOR THE TRAINING REQUIRED UNDER SUBSECTION (B)(15) OF THIS SECTION.

(2) PUBLIC SAFETY ANSWERING POINT PERSONNEL SHALL BE PROVIDED THE IMPLICIT BIAS TRAINING REQUIRED UNDER SUBSECTION (B)(15)(III) OF THIS SECTION:

(I) ON OR BEFORE OCTOBER 1, 2024, FOR PERSONNEL HIRED BY THE PUBLIC SAFETY ANSWERING POINT ON OR BEFORE OCTOBER 1, 2022;

(II) AT THE TIME OF HIRE FOR PERSONNEL HIRED BY THE PUBLIC SAFETY ANSWERING POINT AFTER OCTOBER 1, 2022; AND

(III) ON A RECURRING BASIS WITH UPDATES AS DETERMINED BY THE BOARD, BUT AT LEAST ONCE EVERY 4 YEARS.

(3) (i) At least once each year, the Board shall provide for an audit of each public safety answering point in order to ensure that 9-1-1 specialists and other

1 personnel employed by the public safety answering point have satisfied the training
2 requirements established in accordance with subsection (b)(15) of this section.

3 (ii) The audit described under subparagraph (i) of this paragraph
4 may be conducted concurrently with an inspection of the public safety answering point in
5 accordance with subsection (b)(10) of this section.

6 (III) 1. IF THE BOARD DETERMINES THAT THE PERSONNEL
7 EMPLOYED BY A PUBLIC SAFETY ANSWERING POINT HAVE NOT SATISFIED THE
8 TRAINING REQUIREMENTS ESTABLISHED IN ACCORDANCE WITH SUBSECTION
9 (B)(15) OF THIS SECTION, THE BOARD AND PUBLIC SAFETY ANSWERING POINT
10 SHALL JOINTLY DEVELOP A REMEDIATION PLAN AND IMPLEMENTATION TIMELINE.

11 2. THE BOARD MAY IMPOSE SANCTIONS ON A PUBLIC
12 SAFETY ANSWERING POINT IF THE PUBLIC SAFETY ANSWERING POINT FAILS TO
13 COMPLY WITH A REMEDIATION PLAN OR IMPLEMENTATION TIMELINE DEVELOPED
14 UNDER THIS SUBPARAGRAPH.

15 1-307.

16 (a) The Board shall submit an annual report to the Governor, the Secretary, and,
17 subject to § 2-1257 of the State Government Article, the Legislative Policy Committee, THE
18 SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE, AND
19 THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE.

20 (b) The report SUBMITTED UNDER SUBSECTION (A) OF THIS SECTION shall
21 provide the following information:

22 (1) for each county:

23 [(1)] (I) the type of 9-1-1 system currently operating in the county;

24 [(2)] (II) the total State 9-1-1 fee and county 9-1-1 fee charged;

25 [(3)] (III) the funding formula in effect;

26 [(4)] (IV) any statutory or regulatory violation by the county and the
27 response of the Board; AND

28 [(5)] (V) any efforts to establish an enhanced 9-1-1 system in the county;
29 [and]

30 [(6)] (2) any suggested changes to this subtitle; AND

31 (3) FOR THE ANNUAL REPORTS SUBMITTED IN 2022 THROUGH 2027:

1 (I) AN UPDATE ON THE PROGRESS OF EACH COUNTY IN
2 TRANSITIONING TO NEXT GENERATION 9-1-1 TECHNOLOGY, INCLUDING
3 COMPLIANCE WITH CYBERSECURITY STANDARDS AND MEETING GOALS OF
4 INTEROPERABILITY AND GEOGRAPHIC INFORMATION SYSTEM MAPPING
5 INTEGRATION;

6 (II) THE FOLLOWING PERSONNEL INFORMATION FOR EACH
7 COUNTY PUBLIC SAFETY ANSWERING POINT:

8 1. STAFFING AND VACANCY LEVELS;

9 2. A SUMMARY OF THE COUNTY'S EFFORTS TO FIND,
10 HIRE, AND RETAIN QUALIFIED PERSONNEL;

11 3. AN UPDATE ON TRAINING OF PUBLIC SAFETY
12 ANSWERING POINT PERSONNEL UNDER § 1-306 OF THIS SUBTITLE; AND

13 4. INCIDENCE OF WORKERS' COMPENSATION CLAIMS BY
14 PUBLIC SAFETY ANSWERING POINT PERSONNEL;

15 (III) AN UPDATE ON AUDITS CONDUCTED BY THE COMPTROLLER
16 OF FEE COLLECTION AND REMITTANCES, INCLUDING WHETHER FEES COLLECTED
17 ARE SUFFICIENT TO COVER EACH COUNTY'S OPERATIONAL COSTS FOR THE 9-1-1
18 SYSTEM AND ANY MEASURES RECOMMENDED OR IMPLEMENTED TO ADDRESS COST
19 SHORTAGES;

20 (IV) ANNUAL INCIDENTS OF UNNECESSARY REQUESTS FOR
21 EMERGENCY SERVICES MADE TO 9-1-1 FOR THE PURPOSE OF DISPATCHING AN
22 UNNEEDED EMERGENCY RESPONSE AND ANY RESULTING BODILY HARM OR DEATH;

23 (V) INCIDENCE AND INTERVAL DATA RELATING TO 9-1-1
24 OUTAGES OR THE ABSENCE OF 9-1-1 SPECIALISTS TO RECEIVE REQUESTS FOR
25 EMERGENCY SERVICES; AND

26 (VI) AN UPDATE ON INTEGRATION OF THE 9-1-1 SYSTEM WITH
27 9-8-8 AND 2-1-1 AND THE IMPACT ON 9-1-1 OPERATIONS AND CAPACITY.

28 (C) THE DEPARTMENT SHALL SUMMARIZE AND ANALYZE THE
29 INFORMATION PROVIDED UNDER SUBSECTION (B)(3) OF THIS SECTION AND,
30 SUBJECT TO § 2-1257 OF THE STATE GOVERNMENT ARTICLE, SUBMIT TO THE
31 SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE AND
32 THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE;

1 **(1) THE SUMMARY AND ANALYSIS;**

2 **(2) ANY ASSOCIATED RECOMMENDATIONS TO ADDRESS ISSUES**
3 **RAISED BY THE ANALYSIS; AND**

4 **(3) A DESCRIPTION OF ANY MEASURES IMPLEMENTED BY THE**
5 **DEPARTMENT TO ADDRESS ISSUES RAISED BY THE ANALYSIS.**

6 1-309.1.

7 (a) In consultation with the Maryland Cybersecurity Council established under §
8 9-2901 of the State Government Article, the Board shall establish cybersecurity standards
9 for public safety answering points based on national industry and 9-1-1 system trade
10 association best practices, including standards concerning response protocols in the event
11 of a cybersecurity attack on a public safety answering point.

12 (b) At least once each year on a date determined by the Board and in advance of
13 submitting a request for or receiving any money from the 9-1-1 Trust Fund, the director
14 of each public safety answering point shall examine the cybersecurity of the public safety
15 answering point to determine whether the cybersecurity defenses employed by the public
16 safety answering point satisfy the standards established by the Board under subsection (a)
17 of this section and submit to the Board a report detailing the results of that exercise.

18 (c) **(1)** If a director of a public safety answering point fails to submit a report
19 required under subsection (b) of this section, the Board may not authorize any money from
20 the 9-1-1 Trust Fund to be paid to a county serviced by the public safety answering point
21 until that report has been submitted.

22 **(2) (I) IF A PUBLIC SAFETY ANSWERING POINT FAILS TO MEET THE**
23 **CYBERSECURITY STANDARDS ESTABLISHED BY THIS SECTION DURING THE ANNUAL**
24 **EXAMINATION REQUIRED UNDER SUBSECTION (B) OF THIS SECTION, THE BOARD**
25 **SHALL WORK WITH THE PUBLIC SAFETY ANSWERING POINT TO DEVELOP AN**
26 **AGGRESSIVE, CONSENSUS REMEDIATION PLAN AND IMPLEMENTATION TIMELINE.**

27 **(II) IF A PUBLIC SAFETY ANSWERING POINT FAILS TO COMPLY**
28 **WITH A REMEDIATION PLAN DEVELOPED UNDER THIS PARAGRAPH, THE BOARD MAY**
29 **REFUSE TO AUTHORIZE MONEY FROM THE 9-1-1 TRUST FUND TO BE PAID TO A**
30 **COUNTY SERVICED BY THE PUBLIC SAFETY ANSWERING POINT FOR ANY NEW,**
31 **NONCYBERSECURITY PURPOSE.**

32 1-310.

33 (f) (1) The Comptroller, in consultation with the Board, shall adopt
34 procedures for auditing surcharge collection and remittance by telephone companies and

1 CMRS providers of 9–1–1 fees collected under this section and under § 1–311 of this
2 subtitle.

3 (2) The procedures adopted under paragraph (1) of this subsection shall be
4 consistent with the audit and appeal procedures established for the sales and use tax under
5 Titles 11 and 13 of the Tax – General Article.

6 (3) The Comptroller may issue an administrative subpoena to compel
7 compliance with an audit conducted under this subsection.

8 (4) The Comptroller shall develop and distribute informational materials
9 to telephone companies and CMRS providers regarding:

10 (i) proper collection and remittance of 9–1–1 fees; and

11 (ii) the audit procedures adopted under paragraph (1) of this
12 subsection.

13 (5) On request of a telephone company or CMRS provider, and except as
14 otherwise required by law, the information that the telephone company or CMRS provider
15 reports to the Comptroller shall be confidential, privileged, and proprietary and may not be
16 disclosed to any person other than the telephone company or CMRS provider.

17 (6) The Comptroller is entitled to an amount equal to 0.5% of the 9–1–1
18 fees collected under this section to cover the expenses of conducting audits under this
19 subsection.

20 (7) On or before December 1 each year, the Comptroller shall submit an
21 annual report to the Board detailing the audits conducted during the immediately
22 preceding year and the outcome of each audit.

23 (8) **(I) BETWEEN DECEMBER 31, 2022, AND JANUARY 1, 2025, IN**
24 **ADDITION TO THE ANNUAL REPORT REQUIRED BY PARAGRAPH (7) OF THIS**
25 **SUBSECTION, THE COMPTROLLER SHALL:**

26 **1. SUBMIT TO THE BOARD QUARTERLY UPDATES**
27 **DETAILING THE AUDITS CONDUCTED IN THE IMMEDIATELY PRECEDING QUARTER;**
28 **AND**

29 **2. IMMEDIATELY NOTIFY THE BOARD OF ANY**
30 **DEFICIENCIES DETECTED BY AN AUDIT.**

31 **(II) BEGINNING JANUARY 1, 2025, ON REQUEST OF THE BOARD,**
32 **THE COMPTROLLER SHALL PROVIDE QUARTERLY UPDATES DETAILING THE AUDITS**
33 **CONDUCTED SINCE THE LAST UPDATE WAS PROVIDED.**

1 **(9)** The Comptroller may adopt regulations necessary to carry out the
2 requirements of this subsection.

3 1-311.

4 (a) This section does not apply to prepaid wireless telecommunications service.

5 (b) In addition to the State 9-1-1 fee, the governing body of each county, by
6 ordinance or resolution enacted or adopted after a public hearing, may impose a county
7 9-1-1 fee to be added to all current bills rendered for switched local exchange access service
8 or CMRS or other 9-1-1-accessible service in the county.

9 (c) (1) Except as provided in paragraph (2) of this subsection and subject to
10 paragraphs (3) through (6) of this subsection, the county 9-1-1 fee imposed by a county
11 may not exceed 75 cents per month for each switched local exchange access service, CMRS,
12 or other 9-1-1-accessible service provided.

13 (2) If revenues attributable to the county 9-1-1 fee for a fiscal year do not
14 provide the revenues necessary to cover a county's operational costs for the 9-1-1 system
15 for that fiscal year, the county may, for the following fiscal year, impose a county 9-1-1 fee
16 **[not exceeding \$1.50 per month] SUFFICIENT TO COVER THE COUNTY'S PROJECTED**
17 **OPERATIONAL COSTS FOR THE 9-1-1 SYSTEM FOR THE FISCAL YEAR** for each switched
18 local exchange access service, CMRS, or other 9-1-1-accessible service provided.

19 (3) Except as provided in paragraphs (4) through (6) of this subsection, if a
20 service provider provisions to the same individual or person the voice channel capacity to
21 make more than one simultaneous outbound call from a 9-1-1-accessible service, each
22 separate outbound call voice channel capacity, regardless of the technology, shall constitute
23 a separate 9-1-1-accessible service for purposes of calculating the county 9-1-1 fees due
24 under paragraphs (1) and (2) of this subsection.

25 (4) CMRS provided to multiple devices that share a mobile telephone
26 number shall be treated as a single 9-1-1-accessible service for purposes of calculating the
27 county 9-1-1 fees due under paragraphs (1) and (2) of this subsection.

28 (5) A broadband connection not used for telephone service may not
29 constitute a separate voice channel capacity for purposes of calculating the county 9-1-1
30 fees due under paragraphs (1) and (2) of this subsection.

31 (6) (i) For a telephone service that provides, to multiple locations,
32 shared simultaneous outbound voice channel capacity configured to provide local dial in
33 different states or counties, the voice channel capacity to which the 9-1-1 fee due under
34 paragraphs (1) and (2) of this subsection applies is only the portion of the shared voice
35 channel capacity in the county identified by the service supplier's books and records.

1 (ii) In determining the portion of shared capacity in the county, a
2 service supplier may rely on, among other factors, a customer's certification of the
3 customer's allocation of capacity in the county, which may be based on:

- 4 1. each end user location;
- 5 2. the total number of end users; and
- 6 3. the number of end users at each end user location.

7 (7) The amount of the county 9-1-1 fees may not exceed a level necessary
8 to cover the total eligible maintenance and operation costs of the county.

9 (d) The county 9-1-1 fee continues in effect until repealed or modified by a
10 subsequent county ordinance or resolution.

11 (e) After imposing, repealing, or modifying a county 9-1-1 fee, the county shall
12 certify the amount of the county 9-1-1 fee to:

13 **(1) the Public Service Commission;**

14 **(2) THE BOARD; AND**

15 **(3) NOT LATER THAN 60 DAYS BEFORE THE IMPLEMENTATION OF THE**
16 **CHANGE, THE COMPTROLLER.**

17 (f) The Public Service Commission shall direct each telephone company that
18 provides service in a county that imposed a county 9-1-1 fee to add, within 60 days, the
19 full amount of the county 9-1-1 fee to all current bills rendered for switched local exchange
20 access service in the county.

21 (g) Within 60 days after a county enacts or adopts an ordinance or resolution that
22 imposes, repeals, or modifies a county 9-1-1 fee, each 9-1-1 service carrier that provides
23 service in the county shall add the full amount of the county 9-1-1 fee to all current bills
24 rendered for CMRS or other 9-1-1-accessible service in the county.

25 (h) (1) Each telephone company and each 9-1-1 service carrier shall:

26 (i) act as a collection agent for the 9-1-1 Trust Fund with respect
27 to the county 9-1-1 fee imposed by each county;

28 (ii) collect the money from the county 9-1-1 fee on a county basis;
29 and

30 (iii) remit all money collected to the Comptroller on a monthly basis.

1 (2) The Comptroller shall deposit the money remitted in the 9-1-1 Trust
2 Fund account maintained for the county that imposed the county 9-1-1 fee.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2022.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.