

CHAPTER 106**(SB 119)**

AN ACT relating to 911 emergency communications funding.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔SECTION 1. A NEW SECTION OF KRS 65.7621 TO 65.7643 IS CREATED TO READ AS FOLLOWS:

- (1) *The CMRS Board shall gather and report data and information regarding 911 emergency communications funding procedures and costs on or before August 1, 2011, and each August 1 thereafter.*
- (2) *The CMRS Board shall determine the information it needs to evaluate 911 funding, CMRS service charge collections, and expenditures, and each local governmental agency, state governmental agency, wireless or wireline provider of technology capable of transmitting voice traffic for an emergency 911 request to a PSAP, and/or private citizen in possession of that information shall provide the information to the board within the time frames established by the board. The board may hire a consultant to gather and analyze the information required by this section.*
- (3) *Each local governmental agency and state governmental agency having jurisdiction over one (1) or more public safety answering points (PSAPs) shall provide at least the following information to the board:*
 - (a) *For each PSAP for fiscal years 2007-2008, 2008-2009, 2009-2010, and 2010-2011:*
 1. *Wireline 911 fees;*
 2. *CMRS Board fund money dispersed to the PSAP;*
 3. *Direct grants or state matches for federal, state, or private grants; and*
 4. *Gifts or other amounts not otherwise reported in this paragraph; and*
 - (b) *How the revenue described in this paragraph was spent by the PSAPs.*
- (4) *Each wireless or wireline provider of technology capable of transmitting voice traffic for an emergency 911 request to a PSAP shall report to the board the amount of reimbursements received in fiscal years 2007-2008, 2008-2009, 2009-2010, and 2010-2011.*
- (5) *Each local governmental agency, state governmental agency, or wireless or wireline provider of technology capable of transmitting voice traffic for an emergency 911 request to a PSAP that fails to provide the information required by this section shall not be eligible to receive distributions of state funds from the CMRS Board.*
- (6) *The CMRS Board shall promulgate administrative regulations in accordance with KRS Chapter 13A to establish annual reporting requirements so that the board has the information needed to monitor the use of 911 funds and the rate of the 911 service charge.*
- (7) *All information received by the CMRS Board pursuant to this section shall be subject to disclosure under KRS 61.870 to 61.884. Proprietary information given to the board by any wireless or wireline provider of technology capable of transmitting voice traffic for an emergency 911 request to a PSAP pursuant to this section shall be subject to the same confidentiality as provided for proprietary information under KRS 65.7639.*
- (8) *The CMRS Board shall ensure that the Legislative Research Commission has access to all data collected under this section and shall report this information to the Legislative Research Commission's Interim Joint Committee on Veterans, Military Affairs, and Public Protection by August 1 of each year.*

➔Section 2. (1) The staff of the Legislative Research Commission shall study the funding of 911 emergency communications services in the Commonwealth.

(2) The Legislative Research Commission staff conducting the study under this section shall have the authority to consult with the State Auditor's Office, the CMRS Board, and any provider of emergency 911 services in the Commonwealth, and shall:

(a) Examine the various alternative revenue streams available to fund 911 emergency communications services in the Commonwealth, including service charges from all end-users of voice communications services with access to 911 emergency communication services;

(b) Examine the applicability of the current wireless rate to all end-users of voice communication services to fund 911 emergency communications in the Commonwealth; and

(c) Review the 911 service funding mechanisms implemented in other states.

(3) The study may offer policy options based upon an audit of PSAPs and the information provided by the CMRS Board pursuant to Section 1 of this Act. The policy options may include methods and operational changes to improve cost and operating efficiencies and any cost-saving measures that may be utilized by the PSAPs that will not jeopardize public safety, including the effectiveness of consolidating PSAPs.

(4) The final report of the study shall be submitted to the Legislative Research Commission no later than December 1, 2011.

(5) The provisions of this section to the contrary notwithstanding, the Legislative Research Commission shall have the authority to alternatively assign the issues identified herein to an interim joint committee or subcommittee thereof, or to a statutory committee, and to designate an alternate study completion date.

Signed by Governor March 21, 2011.