

65.760 Establishment of 911 emergency telephone service by local government -- Sources and disposition of revenues -- Funding.

- (1) Any local government may establish 911 emergency service upon approval of the governing body of the city, county, or urban-county government and may adopt regulations concerning the provision of this service by ordinance.
- (2) Any local government, or any combination thereof, may with the approval of their governing bodies enter into an interlocal cooperation agreement creating a joint 911 emergency service.
- (3)
 - (a) The funds required by a local government to establish and operate 911 emergency service, or to participate in joint service with other local governments, may be obtained through the levy of any special tax, license, or fee not in conflict with the Constitution and statutes of this state. The special tax, license, or fee may include a subscriber charge for 911 emergency service that shall be levied on an individual exchange-line basis, limited to a maximum of twenty-five (25) exchange lines per account per government entity.
 - (b) Any private commercial telephone service or owner of a dispersed private telephone system (DPTS) that provides local and 911 emergency service to subscribers for compensation shall collect and remit the subscriber charge to the local government on the same basis as the primary local exchange carrier, except that this requirement shall not apply to a state agency that currently maintains an independent 911 system with its own public safety answering point.
 - (c) Any provider of interconnected VoIP local and 911 emergency services to subscribers for compensation shall collect and remit any special tax, license, or fee levied under paragraph (a) of this subsection to the local government, except that the special tax, license, or fee levied under paragraph (a) of this subsection shall not apply to a commercial mobile radio service subject to a fee imposed under KRS 65.7629 or 65.7634.
- (4) All revenues raised from any special tax, license, or fee levied under subsection (3) of this section shall be expended only as provided in this subsection and only to the extent that the expenditure is directly attributable to the establishment, operation, or maintenance of a PSAP, the delivery of 911 emergency services, or the provision of wireless enhanced 911 services, as follows:
 - (a) The hiring of personnel;
 - (b) The following costs for employees:
 1. Salaries;
 2. Fringe benefits;
 3. MSAG coordination;
 4. Uniforms; and
 5. Addressing and database development and management;
 - (c) Facility costs for the following expenses:

1. Capital improvements for construction, remodeling, or expansion;
 2. Lease or rental payments;
 3. Utilities;
 4. Heating and air conditioning;
 5. Fire suppression systems;
 6. Security systems;
 7. Cleaning and maintenance;
 8. Emergency power and uninterruptable power equipment;
 9. Insurance;
 10. Office supplies;
 11. Printing and copying services; and
 12. Furniture;
- (d) Training and memberships in professional associations, including:
1. Vendor-provided training;
 2. Conferences;
 3. Necessary travel and lodging;
 4. On-the-job training; and
 5. Memberships in 911-related associations;
- (e) Costs for the following equipment shall be allowed to the extent its function is directly attributable to the provision of 911 emergency services, whether on the premises or remotely located:
1. 911 controllers, equipment, or software;
 2. 911 trunks or administrative lines for the 911 center;
 3. Remote 911 hardware or modems;
 4. ACD systems or other call management facilities and software;
 5. Call-time stamping or other clock functions;
 6. Computer workstations;
 7. Telephone and related services to support the receipt of 911 contact from the deaf and hard of hearing community;
 8. Voice and data recording systems;
 9. Radio systems, including consoles and any fixed radio asset that is not mobile or portable and that is used for 911 and emergency response;
 10. CAD, GIS mapping, paging, mobile data, LINK/NCIC, or AVL systems and associated databases;
 11. Network connectivity;
 12. Software licenses; and
 13. Maintenance or service agreements for equipment or software listed in this subsection;

- (f) Vehicle costs for the following, either as reimbursement to an employee for the use of a private vehicle or direct costs for a vehicle assigned to the agency:
 - 1. MSAG development and maintenance;
 - 2. GIS data development, verification, and testing; and
 - 3. Public education;
 - (g) Costs for the following professional services:
 - 1. Legal;
 - 2. Architectural;
 - 3. Auditing; and
 - 4. Consultation; and
 - (h) Costs for public education regarding the proper use of 911 emergency services.
- (5) A local government shall not use revenues from any special tax, license, or fee levied under subsection (3) of this section for personnel costs, facility costs, training and membership costs, equipment costs, vehicle costs, professional services costs, public education costs, nor any of the following costs, unless the expense is directly attributable to the delivery of 911 emergency services:
- (a) Personnel costs for the following personnel, unless directly functioning as PSAP staff:
 - 1. Law enforcement;
 - 2. Emergency medical services personnel;
 - 3. Fire protection personnel;
 - 4. Emergency management staff; and
 - 5. Shared support or technical staff;
 - (b) Facility costs for the following purposes and facilities, except for that portion used for the delivery of 911 emergency services:
 - 1. Capital and furnishing costs for facilities whose primary purpose is not the delivery of 911 emergency services;
 - 2. Facilities primarily intended for use by police, fire, emergency medical services, or other emergency management personnel; and
 - 3. Facilities providing general offices for local government operations;
 - (c) Training and membership costs for the following purposes:
 - 1. Costs for training for staff not directly involved in the delivery of 911 emergency services or courses whose content is not intended to increase the knowledge, skills, and abilities of 911 personnel with regard to delivery of 911 emergency services; and
 - 2. Costs for memberships in organizations or associations whose primary purpose is not public safety communications or the delivery of 911 emergency services;
 - (d) The following hardware, software, or peripheral costs:

1. Law enforcement, fire protection, emergency medical services, or jail record management systems;
 2. Word processing and other general computer applications;
 3. GIS applications providing data layers not needed for the location of emergency calls or other general mapping and locations services for government operations;
 4. Court information systems;
 5. Field equipment used outside of the PSAP by emergency responders or other government personnel for radio, paging, mobile data, LINK/NCIC, ACD, or AVL systems;
 6. Internet connectivity for an application listed in this subsection;
 7. A maintenance or service agreement for an application listed in this subsection; and
 8. A software license for an application listed in this subsection;
- (e) The cost of an emergency response or other government vehicle;
 - (f) Costs for professional services; and
 - (g) Costs for public education.
- (6) The governing body may apply for and accept federal moneys and may accept contributions and donations from any source for the purpose of funding 911 emergency service.
- (7) Nothing in this section shall preclude other means of establishing or funding a 911 emergency service within any local area or exchange, nor require the operation of such service by any local government.

Effective: July 15, 2016

History: Amended 2016 Ky. Acts ch. 111, sec. 3, effective July 15, 2016. -- Amended 1998 Ky. Acts ch. 521, sec. 4, effective July 15, 1998. -- Amended 1986 Ky. Acts ch. 114, sec. 1, effective July 15, 1986. -- Created 1984 Ky. Acts ch. 154, sec. 3, effective July 13, 1984.