

AN ACT relating to 911 emergency services.

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

➔Section 1. KRS 65.750 is amended to read as follows:

As used in this section to KRS 65.760:

- (1) "911 emergency [~~telephone~~]service" means *an emergency system that provides the end user of a service connection with emergency services by dialing 9-1-1, directs 911 calls to the appropriate public safety answering points based on the geographic location from which the call originated, and provides the capability for automatic number identification and automatic location identification features in accordance with the FCC order*~~[a telephone service which provides the user of the public telephone system the ability to place calls to a public safety answering point on a twenty four (24) hour basis and reach local emergency service agencies by dialing the digits 9 1 1. Such a service is capable, at minimum, of transmitting requests for law enforcement, firefighting, and emergency medical and ambulance services to a public safety agency or other provider that provides the requested service at the place where the call originates. A 911 emergency telephone service may also provide for other emergency services. The term "911 emergency telephone service" includes the term wireline "enhanced 911 system," which means an emergency telephone system that provides the caller with wireline emergency 911 system service and, in addition, directs 911 calls to appropriate public safety answering points based on the geographical location from which the call originated and may provide the capability for automatic number identification, pseudo-automatic number identification, selective routing, and automatic location identification features. As used in KRS 65.760, the term "911 emergency telephone service" does not include the term "wireless enhanced 911 system," "wireless enhanced 911 service," or "wireless E911 service" as used in KRS 65.7621 to 65.7643];~~

- (2) "Automatic number identification (ANI)" means a feature that allows for the automatic display of the ten (10) digit number, or equivalent, used to place a 911 call;
- (3) "Automatic location identification (ALI)" means a feature by which the name and address associated with the calling party's telephone number is made available to a PSAP;
- (4) "Automatic location identification data management system (ALI/DBS)" means a system of manual procedures and computer programs used to create, store, and update the data required for ALI in support of enhanced 911;
- (5) **"Commercial mobile radio service" or "CMRS" has the same meaning as in KRS 65.7621;**
- (6)** "Dispersed private telephone system (DPTS)" means a multiline, shared tenant system or PBX used for the purpose of reselling telephone service to residential customers and whose connection to a telephone network is capable of carrying emergency calls from more than one (1) specific location within a structure or structures but does not mean a multiline, shared tenant system or PBX owned and operated by a state agency or used in providing service within a hotel or motel;
- ~~(7)~~~~(6)~~ "Fully enhanced 911 [emergency telephone]service" means a telephone network feature that selectively routes calls placed to the national 911 emergency number to the proper public service answering points (PSAPs) and provides the PSAP with a voice connection and ANI and ALI information;
- (8) "FCC order" means the Order of the Federal Communications Commission, FCC Docket No. 94-102, adopted effective October 1, 1996, including any subsequent amendments or modifications thereof;**
- (9) "Local government" means any city, county, consolidated local government, urban-county government, unified local government, or charter county government;**

~~(10)~~~~(7)~~ "Private branch exchange (PBX)" means a privately owned switch system that connects calls to a telephone company;

~~(11)~~~~(8)~~ "Public safety answering point" or "PSAP" means a communications facility that is assigned the responsibility to receive 911 calls originating in a given area and, as appropriate, to dispatch public safety services or to extend, transfer, or relay 911 calls to appropriate public safety agencies;

~~(12)~~ **"Service connection" means the transmission, conveyance, or routing of voice, data, video, text, or any other information signal of the purchaser's choosing by any medium or method now in existence or later devised with the ability to connect to 911 emergency telephone service;**

~~(13)~~~~(9)~~ "Service supplier" means a person or entity that administers, maintains, and operates the ALI/DBS and may include telephone companies that provide local exchange telephone service to a telephone subscriber;~~and~~

~~(14)~~~~(10)~~ "Station identification number (SIN)" means a number that a DPTS uses to identify a specific station on the switch;

~~(15)~~ **"Telematics" means a wireless communication system used in automobiles that combines wireless communications with GPS tracking; and**

~~(16)~~ **"Voice over Internet protocol" or "VoIP" means the transmission, conveyance, or routing in which computer processing applications are used to act on the form code or protocol of the content purposes of transmission, conveyance, or routing without regard to whether the service is referred to as voice over Internet protocol or VoIP services.**

➔Section 2. KRS 65.760 is amended to read as follows:

(1) Any **local**~~city, county, or urban-county~~ government may establish 911 emergency ~~telephone~~ service upon approval of the governing body of the **local**~~city, county, or urban-county~~ government and may adopt regulations concerning the provision of this service by ordinance.

- (2) Any local~~[city, county, or urban county]~~ government, or any combination thereof, may with the approval of their governing bodies enter into an interlocal cooperation agreement creating a joint 911 emergency ~~[telephone]~~service.
- (3) (a) The funds required by a local~~[city, county, or urban county]~~ government to establish and operate 911 emergency ~~[telephone]~~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 ~~[telephone]~~service that shall be levied on the following in the same amount:
1. ~~[an]~~Individual exchange-lines~~[exchange line basis]~~, limited to a maximum of twenty-five (25) exchange lines per account per government entity. 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;
 2. CMRS service connections;
 3. Telematics service connections; and
 4. VoIP service connections.
- (b) All revenues from a special tax, license, or fee levied according to this subsection shall be accounted for in a separate fund and shall not be disbursed, expended, encumbered, or transferred for any use or purpose other than the provision of 911 emergency service~~[All revenues from a tax or fee expressly levied to fund 911 emergency services shall be expended solely~~

~~for the establishment, operation, and maintenance of a 911 emergency communications system; this may include expenditures to train communications personnel and to inform the public of the availability and proper use of 911 service].~~

(c) All revenues from a special tax, license, or fee levied according to this subsection shall only be expended for operations, maintenance, capital expenses, and for personnel, both part-time and full time, who spend at least ninety-five percent (95%) of their time either administering or providing 911 emergency telephone service.

- (4) 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 ~~telephone~~ service.
- (5) Nothing in this section shall preclude other means of establishing or funding a 911 emergency ~~telephone~~ service within any local area or exchange, nor require the operation of such service by any local government.