

SENATE ENERGY, UTILITIES AND COMMUNICATIONS COMMITTEE
ALEX PADILLA, CHAIR

SB 1211 - Padilla Hearing Date:
April 1, 2014 S
As Introduced: February 20, 2014 FISCAL B

DESCRIPTION

Current law requires the Office of Emergency Services (OES) to administer the state's 911 emergency telephone system, including local dispatch centers known as Public Safety Answering Points (PSAPs), with funds from a 911 customer surcharge on intrastate communication service. (Government Code § 5311-53120)

Current decisions of the Federal Communications Commission (FCC) establish May 15, 2014, as the date for large wireless service providers to enable customers to text to 911 to any PSAP that is "technically ready" and require carriers to send a "bounce-back" message if the PSAP is not ready to receive texts. (PS Docket 11-153 and 10-255)

This bill requires OES to develop a plan and timeline of target dates for PSAP testing and deployment of text to 911 and a full Next Generation 911 (Next Gen 911) emergency communication system throughout California.

Current federal law designates up to \$7 billion from FCC spectrum auctions to fund a nationwide public safety broadband network known as FirstNet and directs that this network integrate 911 PSAPs. (Public Law 112-96)

This bill requires that the OES plan for deploying Next Gen 911 incorporate, where consistent with public safety and technologically feasible, shared infrastructure and elements of FirstNet and other public safety communications networks that receive state and federal funding.

Current law requires OES to determine annually, on or before October 1, the customer surcharge rate to fund the subsequent year's costs of the state 911 system. (Revenue and Tax Code § 41030)

This bill requires OES, at least one month before finalizing the 911 surcharge rate, to prepare a summary of the calculation of the proposed surcharge, include the costs it expects to incur consistent with the plan to deploy text to 911 and Next Gen 911, and make this information available to the Legislature and the 911 Advisory Board, and on the office's Internet Web site.

Introduced by Senator Padilla

February 20, 2014

An act to add Section 53121 to the Government Code, and to amend Section 41030 of the Revenue and Taxation Code, relating to emergency services.

LEGISLATIVE COUNSEL'S DIGEST

SB 1211, as introduced, Padilla. Emergency services: Next Generation 911.

Existing law requires the Office of Emergency Services to determine annually, on or before October 1, a surcharge rate that it estimates will produce sufficient revenue to fund the current fiscal year's 911 costs, as specified.

This bill would require the office to develop a plan and timeline of target dates for testing, implementing, and operating a Next Generation 911 emergency communication system, including text to 911 service, throughout California. The bill would require the office, in determining the surcharge rate, to additionally include costs it expects to incur, consistent with the plan and timeline, to plan, test, implement, and operate Next Generation 911 technology and services, including text to 911 service. The bill would require the office, no later than September 1 of each year, at least one month before determining the surcharge rate, to prepare a summary of the calculation of the proposed surcharge and make it available to the Legislature and the 911 Advisory Board, and on the office's Internet Web site.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

P2 1 SECTION 1.

Section 53121 is added to the *Government Code*,
2 to read:
3 53121.

(a) The Office of Emergency Services shall develop a
4 plan and timeline of target dates for the testing, implementation,
5 and operation of a Next Generation 911 emergency communication
6 system, including text to 911 service, throughout California.

7 (b) In order to maximize efficiency and contain costs, the Next
8 Generation 911 emergency communication system shall
9 incorporate, where consistent with public safety and technologically
10 feasible, shared infrastructure and elements of other public safety
11 and emergency communications networks, including, but not
12 limited to, all of the following:

13 (1) Public safety communications identified in the annual plan
14 required by subdivision (b) of Section 15277.

15 (2) Local and regional public safety broadband networks
16 authorized by the federal American Recovery and Reinvestment
17 Act of 2009 (Public Law 111-5).

18 (3) Public safety broadband networks authorized by the federal
19 Middle Class Tax Relief and Job Creation Act of 2012 (Public
20 Law 112-96).

21 (4) Public safety radio and communications facilities used for
22 the purpose of public warnings pursuant to Section 15254.

23 SEC. 2.

Section 41030 of the *Revenue and Taxation Code* is
24 amended to read:
2541030.

(a) The Office of Emergency Services shall determine
26 annually, on or before October 1, a surcharge rate that it estimates
27 will produce sufficient revenue to fund the current fiscal year's
28 911 costs. The surcharge rate shall be determined by dividing the
29 costs (including incremental costs) the Office of Emergency
30 Services estimates for the current fiscal year of 911 plans approved
31 pursuant to Section 53115 of the Government Code, less the
32 available balance in the State Emergency Telephone Number
33 Account in the General Fund, by its estimate of the charges for
34 intrastate telephone communications services and VoIP service to
35 which the surcharge will apply for the period of January 1 to
36 December 31, inclusive, of the next succeeding calendar year, but
37 in no event shall such surcharge rate in any year be greater than
38 three-quarters of 1 percent nor less than one-half of 1 percent.

P3 1 (b) When determining the surcharge rate, the office shall include
2 the costs it expects to incur to plan, test, implement, and operate
3 Next Generation 911 technology and services, including text to
4 911 service, consistent with the plan and timeline required by
5 Section 53121 of the Government Code.

6 (c) No later than September 1 of each year, at least one month
7 before determining the surcharge rate pursuant to subdivision (a),
8 the office shall prepare a summary of the calculation of the
9 proposed surcharge and make it available to the Legislature and
10 the 911 Advisory Board, and on the office's Internet Web site.