



Bill Draft 2009-TD-28: Use of 911 Funds.

2009-2010 General Assembly

Committee:	Date:	April 22, 2010
Introduced by:	Prepared by:	Heather Fennell
Analysis of:	2009-TD-28	Committee Counsel

SUMMARY: *Bill draft 2009-TD-28 makes various changes to the statutes governing Emergency Telephone Service as recommended by the House Select Committee on the Use of 911 Funds.*

BILL ANALYSIS:

Section 1: Makes the following changes to the 911 Board:

- Provides that PSAPs receiving distributions from the Fund and telecommunications service providers may not have more than 1 position on the Board.
- Removes one CMRS provider from the Board.
- Adds one APCO position to the Board.
- Allows for one of the NENA positions on the Board to be recommended by the NC Association of County Commissioners.
- Allows for one of the APCO positions on the Board to be recommended by the NC League of Municipalities.
- Changes the term of the Board members from four to three years. Provides that Board members may not serve more than two terms.
- Provides that the existing members (other than the eliminated position) of the Board will serve out their existing terms.

Section 2: Provides that the 911 Board may establish operating standards for PSAPs receiving distributions from the Fund.

Section 3: Provides that the 911 Board may pay a private vendor for the provisioning of a network for the purpose of providing 911 service.

Section 4: Authorizes the 911 Board to implement statewide projects for the benefit of 911 service. Funds that are designated to be used for reimbursement for CMRS providers that are not necessary can be reallocated to the PSAP Grant Account. The Grant Account is redesignated the PSAP Grant and Statewide Projects Account. In order for the Board to use funds for a statewide project, the Board must determine the project is consistent with the 911 Plan, is cost effective and efficient when compared to the aggregated costs of similar projects if implemented by primary PSAPs, the expenses are eligible under the Fund, and the project has a statewide benefit.

Section 5: The 911 Board is authorized to increase the percentage of funds it retains for administrative expenses to 2% from 1%,

Section 6: The 911 Board is authorized to determine the monthly distributions to eligible PSAPs. The Board must notify each PSAP of the estimated distributions by December 31st of each year, and notify each PSAP of the actual amount of distributions by June 1 of each year.

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- **Base amount formula:** The Board must establish a formula to determine each PSAP's base amount. The formula must consider certain information including population, area served, and cost history. The Board may not change the formula more than once every three years.
- **Additional distributions:** The Board may increase the distribution to a PSAP above its base amount if the PSAP receives less than its eligible costs in any fiscal year. The Board may not distribute less than the base amount.
- **Reconsideration:** The Board must provide a procedure for a PSAP to request a reconsideration of its distribution or eligible expenses.

A PSAP may carry forward up to twenty percent (20%) of the total funds disbursed by the Board during a fiscal year for eligible expenditures for capital outlay, capital improvements, or equipment replacement. The carryforward must not be used in the funding formula to reduce the base amount.

Section 7: The use of the 911 Fund is expanded to include necessary hardware and software, base station transmitters, microwave links and antennae used to dispatch emergency calls from the PSAP and the radio communications equipment used by the first provider of emergency services to receive the emergency dispatch.

Section 8: The 911 Board is authorized to provide grants for the voluntary consolidations of PSAPs into primary PSAPs.

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