1	EMERGENCY SERVICES TELEPHONE CHARGE
2	1998 GENERAL SESSION
3	STATE OF UTAH
4	Sponsor: David H. Steele
5	AN ACT RELATING TO THE EMERGENCY TELEPHONE SERVICE LAW; INCREASING
6	THE AMOUNT OF THE EMERGENCY SERVICES TELEPHONE CHARGE THAT MAY
7	BE LEVIED TO PAY FOR 911 EMERGENCY TELEPHONE SERVICE; AND IMPOSING
8	AN EMERGENCY SERVICES TELEPHONE CHARGE TO PAY FOR THE COSTS OF THE
9	POISON CONTROL CENTER AT THE UNIVERSITY OF UTAH.
10	This act affects sections of Utah Code Annotated 1953 as follows:
11	AMENDS:
12	69-2-5, as last amended by Chapter 86, Laws of Utah 1996
13	ENACTS:
14	<b>69-2-5.5</b> , Utah Code Annotated 1953
15	Be it enacted by the Legislature of the state of Utah:
16	Section 1. Section <b>69-2-5</b> is amended to read:
17	69-2-5. Funding for 911 emergency telephone service.
18	(1) In providing funding of 911 emergency telephone service, any public agency
19	establishing a 911 emergency telephone service may:
20	(a) seek assistance from the federal or state government, to the extent constitutionally
21	permissible, in the form of loans, advances, grants, subsidies, and otherwise, directly or indirectly;
22	(b) seek funds appropriated by local governmental taxing authorities for the funding of
23	public safety agencies; and
24	(c) seek gifts, donations, or grants from individuals, corporations, or other private entities.
25	(2) For purposes of providing funding of 911 emergency telephone service, special service
26	districts may raise funds as provided in Section 17A-2-1322 and may borrow money and incur
27	indebtedness as provided in Section 17A-2-1316.

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(3) (a) The governing authority of any public agency providing 911 emergency telephone service may levy monthly an emergency <u>services</u> telephone charge on each local exchange service switched access line and each revenue producing radio communications access line, except as provided in Subsection (3)(b).

- (b) (i) Access lines provided for public coin telephone service are exempt from emergency telephone charges.
- (ii) A radio communications access line customer with a billing address within the boundaries of the public agency providing 911 emergency telephone service shall be subject to the emergency services telephone charge on a maximum of five radio communications access lines.
- (c) The amount of the charge may not exceed [50]  $\underline{52}$  cents per month for each local exchange service switched access line and [50]  $\underline{52}$  cents per month for each radio communications access line.
- (d) Notification of intent to levy the charge shall be given to the Public Service Commission at least 30 days prior to the effective date.
- (e) An emergency <u>services</u> telephone charge levied under this section shall be billed[,] <u>and</u> collected[, <u>and remitted</u>] by the corporation, person, or entity that provides the local exchange service switched access line services or radio communications access line services <u>and remitted</u> to the public agency providing 911 emergency telephone service in the billed customer location area as directed by the public agency.
- (4) (a) Any money received by the public agency for the provision of 911 emergency telephone service shall be deposited in a special emergency telephone service fund.
- (b) (i) The money in the emergency telephone service fund shall be expended by the public agency to pay the costs of establishing, installing, maintaining, and operating a 911 emergency telephone system or integrating a 911 system into an established public safety dispatch center, including contracting with the providers of local exchange service, radio communications service, and vendors of appropriate terminal equipment as necessary to implement the 911 emergency telephone service.
- (ii) Revenues derived for the funding of 911 emergency telephone service may only be used for that portion of costs related to the operation of the 911 emergency telephone system when such a system is integrated with any public safety dispatch system.
  - Section 2. Section **69-2-5.5** is enacted to read:

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1	<u>09-2-5.5.</u> Emergency services telephone charge to fund the Folson Control Center.
2	(1) There is imposed an emergency services telephone charge of 8 cents per month on each
3	local exchange service switched access line and each revenue producing radio communications
4	access line that is subject to an emergency services telephone charge levied by a public agency
5	under Section 69-2-5.
6	(2) The emergency services telephone charge imposed under this section shall be:
7	(a) used to pay for the costs of establishing, installing, maintaining, and operating the
8	Poison Control Center at the University of Utah; and
9	(b) billed and collected by the corporation, person, or entity that provides local exchange
10	service switched access line services or radio communications access line services and remitted
11	to the University of Utah.

## **Legislative Review Note** as of 2-11-98 8:13 AM

A limited legal review of this bill raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel