

Representative Brad L. Dee proposes the following substitute bill:

MANAGEMENT, ENHANCEMENT, AND

FUNDING OF 911 SYSTEM

2004 GENERAL SESSION

STATE OF UTAH

Sponsor: Brad L. Dee

LONG TITLE

General Description:

This bill imposes a fee on wireless and land-based telephones to create a statewide unified emergency 911 system capable of geographically locating a wireless telephone user's location in an emergency.

Highlighted Provisions:

This bill:

- ▶ creates a 14 cent per month state fee on telephone services for unified statewide E-911 emergency services;
- ▶ provides for the administration, collection, and enforcement of telephone E-911 emergency fees by the State Tax Commission;
- ▶ deposits the telephone fees into a restricted account in the General Fund for unified statewide E-911 emergency services;
- ▶ repeals the advisory Utah 911 Committee in the Bureau of Communications in the Department of Public Safety;
- ▶ creates a new state Utah 911 Committee in the Department of Public Safety to develop state standards for the unified E-911 emergency system and to administer the fund;
- ▶ establishes criteria for the use of the fund to ensure implementation of land-based



26 and wireless E-911 and requires the Utah 911 Committee to report annually to the
27 Executive Appropriations Committee;

28 ▶ authorizes local governments to increase the local levy on telephone services for
29 911 emergency services from a maximum of 53 cents per month to a maximum of
30 65 cents per month;

31 ▶ allows exchange carriers some cost recovery for implementing Phase I technology
32 and collecting and administering the levy;

33 ▶ reduces the 14 cent state E-911 emergency service fee in 2006 to eight cents;

34 ▶ sunsets the state imposed fee on July 1, 2011; and

35 ▶ makes technical changes.

36 **Monies Appropriated in this Bill:**

37 This bill appropriates for fiscal year 2004-05:

38 ▶ \$3.2 million from the Statewide Unified E-911 Emergency Service Fund to the Utah
39 911 Committee; and

40 ▶ \$250,000 from the Statewide Unified E-911 Emergency Service Fund to the
41 Automated Geographic Reference Center in the Division of Information
42 Technology Services.

43 **Other Special Clauses:**

44 This bill takes effect immediately, except:

45 ▶ the effect of the local and state fee increase is delayed until July 1, 2004;

46 ▶ the amount of the state imposed fee is amended on July 1, 2006; and

47 ▶ the state imposed fee sunsets on July 1, 2011.

48 **Utah Code Sections Affected:**

49 AMENDS:

50 **69-2-5**, as last amended by Chapter 253, Laws of Utah 2003

51 ENACTS:

52 **53-10-601**, Utah Code Annotated 1953

53 **53-10-602**, Utah Code Annotated 1953

54 **53-10-603**, Utah Code Annotated 1953

55 **53-10-604**, Utah Code Annotated 1953

56 **53-10-605**, Utah Code Annotated 1953

57 **53-10-606**, Utah Code Annotated 1953

58 **63-55-269**, Utah Code Annotated 1953

59 **69-2-5.6**, Utah Code Annotated 1953

60 REPEALS:

61 **53-10-503**, as enacted by Chapter 269, Laws of Utah 2002



62 *Be it enacted by the Legislature of the state of Utah:*

63 Section 1. Section **53-10-601** is enacted to read:

64 **Part 6. Coordination of Statewide 911 Emergency Communications**

65 **53-10-601. Utah 911 Committee.**

66 (1) There is created within the division, the Utah 911 Committee consisting of the
67 following 13 members:

68 (a) a representative from each of the following Primary Emergency Public Safety

69 Answering Points:

70 (i) Salt Lake County;

71 (ii) Davis County;

72 (iii) Utah County; and

73 (iv) Weber County;

74 (b) four members representing the following Primary Emergency Public Safety

75 Answering Points:

76 (i) Bear River Association;

77 (ii) Uintah Basin Association;

78 (iii) South East Association;

79 (iv) Six County Association;

80 (v) Five County Association; and

81 ~~H~~ ~~(iv)~~ ~~(vi)~~ ~~h~~ Mountainlands Association, not including Utah County;

82 (c) the following people with knowledge of technology and equipment that might be
83 needed for an emergency public safety answering system:

84 (i) a representative from a local exchange carrier;

85 (ii) a representative from a rural incumbent local exchange carrier; and

86 (iii) two representatives from radio communications services as defined in Section
87

88 69-2-2; and

89 (d) a representative from the Department of Public Safety.

90 (2) (a) Each committee member shall be appointed as follows:

91 (i) a member described in Subsection (1)(a) shall be appointed by the council of

92 government for his county ~~H~~ [~~-with the consent of the Senate~~] h ;

93 (ii) the four members described in Subsection (1)(b) shall be appointed by the

94 associations described in Subsection (1)(b) as follows:

95 (A) the six associations shall select by lot, the first four associations to begin the

96 rotation of membership as required by Subsection (2) ~~H~~ [(c)] (b)(i) h ;

97 (B) as each association is represented on the commission in accordance with

98 Subsection (2)(c), that association shall select the person to represent it on the commission ~~H~~ ;

99 with the consent of the senate] h ~~H~~ ; **AND** ~~h~~

100 (iii) the members described in Subsection (1)(c) shall be appointed by the governor

101 with the consent of the Senate.

102 (b) The term of office of each member is four years, except as provided in Subsections

103 (2)(b)(ii) through (iv).

104 (i) The representatives from Subsection (1)(b) must rotate to provide each geographic

105 location at least one representative every four years, except as provided for the initial

106 appointment under Subsection (2)(b)(ii).

107 (ii) The associations listed in Subsection (1)(b) shall select by lot, two of its members

108 to an initial two-year term.

109 (iii) The governor shall appoint two representatives from Subsection (1)(c) to initial

110 two-year terms.

111 (iv) The public service answering points listed in Subsection (1)(a) shall, by lot, select

112 two members to serve an initial two-year term.

113 (c) No member of the committee may serve more that two consecutive four-year terms.

114 (d) Each mid-term vacancy shall be filled for the unexpired term in the same manner as

115 an appointment under Subsection (2)(a).

116 (3) (a) Committee members shall elect a chair from their number and establish rules for

117 the organization and operation of the committee, with the chair rotating among representatives

118 from Subsections (1)(a), (b), and (c) every year.

119 (b) Staff services to the committee:
120 (i) shall be provided by the division; and
121 (ii) may be provided by local entities through the Utah Association of Counties and the
122 Utah League of Cities and Towns, with funds approved by the committee from those identified
123 as available to local entities under Section 53-10-605.

124 (4) (a) No member may receive compensation or benefits for the member's service on
125 the committee.

126 (b) A member is not required to give bond for the performance of official duties.

127 Section 2. Section **53-10-602** is enacted to read:

128 **53-10-602. Committee's duties and powers.**

129 (1) The committee shall:

130 (a) review and make recommendations to the division, the Bureau of Communications,
131 public safety answering points, and the Legislature on:

132 (i) technical and operational issues for the implementation of a unified statewide
133 wireless and land-based E-911 emergency system;

134 (ii) specific technology and standards for the implementation of a unified statewide
135 wireless and land-based E-911 emergency system;

136 (iii) expenditures by local public service answering points to assure implementation of
137 a unified statewide wireless and land-based E-911 emergency system and standards of
138 operation; and

139 (iv) mapping systems and technology necessary to implement the unified statewide
140 wireless and land-based E-911 emergency system;

141 (b) administer the fund as provided in this part;

142 (c) assist as many local entities as possible, at their request, to implement the
143 recommendations of the committee; and

144 (d) fulfill all other duties imposed on the committee by the Legislature by this part.

145 (2) The committee may sell, lease, or otherwise dispose of equipment or personal
146 property belonging to the committee, the proceeds from which shall return to the fund.

147 (3) The committee may establish a cap on the reimbursement allowed under Subsection
148 53-10-605(1)(b) provided that:

149 (a) the reimbursement does not exceed an amount equal to one cent per month levied

150 on telephone services under Section 69-2-5.6;

151 (b) the reimbursement is based on aggregated cost studies submitted to the committee
152 by the wireless carriers seeking reimbursement; and

153 (c) the reimbursement to any one carrier does not exceed 125% of the wireless carrier's
154 contribution to the fund.

155 (4) The committee shall adopt rules in accordance with Title 63, Chapter 46a, Utah
156 Administrative Rulemaking Act, to administer the fund created in Section 53-10-603 including
157 rules that establish the criteria, standards, technology, and equipment that a local entity or state
158 agency must adopt in order to qualify for loans or grants from the fund.

159 Section 3. Section **53-10-603** is enacted to read:

160 **53-10-603. Creation of Statewide Unified E-911 Emergency Service Fund.**

161 There is created a restricted account in the General Fund entitled the "Statewide Unified
162 E-911 Emergency Service Fund," consisting of:

163 (1) proceeds from the fee imposed in Section 69-2-5.6;

164 (2) money appropriated or otherwise made available by the Legislature;

165 (3) repayments of any loan from the fund and interest paid on the loan; and

166 (4) contributions of money, property, or equipment from federal agencies, political
167 subdivisions of the state, persons, or corporations.

168 Section 4. Section **53-10-604** is enacted to read:

169 **53-10-604. Committee expenses -- Tax commission expenses -- Division of Finance**
170 **responsibilities.**

171 (1) Committee expenses and the costs of administering loans or grants from the fund,
172 as provided in Subsection (3), shall be paid from the fund.

173 (2) (a) The expenses and costs of the State Tax Commission to administer and enforce
174 the collection of the telephone levy imposed by Section 69-2-5.6 shall be paid from the fund.

175 (b) (i) The State Tax Commission may charge the fund the administrative costs
176 incurred in discharging the responsibilities imposed by Section 69-2-5.6.

177 (ii) The charges in Subsection (2)(b)(i) may not exceed an amount equal to 1.5% of the
178 charges imposed under Section 69-2-5.6.

179 (3) (a) The Division of Finance shall be responsible for the care, custody, safekeeping,
180 collection, and accounting for loans or grants issued by the committee under the provisions of

181 Section 53-10-605.

182 (b) The Division of Finance may charge the fund the administrative costs incurred in
 183 discharging the responsibilities imposed by Subsection (3)(a).

184 Section 5. Section **53-10-605** is enacted to read:

185 **53-10-605. Use of money in fund -- Criteria -- Administration.**

186 (1) Subject to an annual legislative appropriation from the fund to:

187 (a) the committee, the committee may:

188 (i) authorize the use of the money in the fund, by grant ~~Ĥ [or loan] ĥ~~ to a local entity or
 188a state

189 agency in accordance with this Subsection (1) and Subsection (2);

190 (ii) grant ~~Ĥ [or loan] ĥ~~ to state agencies and local entities an amount not to exceed the per
 191 month fee levied on telephone services under Section 69-2-5.6 for installation, implementation,
 192 and maintenance of unified, statewide 911 emergency services and technology; and

193 (iii) in addition to any money under Subsection (1)(a)(ii), grant ~~Ĥ [or loan] ĥ~~ to counties of
 194 the third through sixth class the amount dedicated for rural assistance, which is ~~Ĥ AT LEAST ĥ~~ 3
 194a cents per

195 month levied on telephone services under Section 69-2-5.6 to:

196 (A) enhance the 911 emergency services with a focus on areas or counties that do not
 197 have E-911 services; and

198 (B) where needed, assist the counties, in cooperation with private industry, with the
 199 creation or integration of wireless systems and location technology in rural areas of the state;
 200 and

201 (b) the committee, the committee shall:

202 (i) include reimbursement to a provider of radio communications service, as defined in
 203 Section 69-2-2, for costs as provided in Subsections (1)(b)(ii) and (iii);

204 (ii) an agreement to reimburse costs to a provider of radio communications services
 205 must be a written agreement between the commission and the carrier; and

206 (iii) shall include reimbursement to the provider for the cost of design, development,
 207 and implementation of equipment or software necessary to provide Phase I, wireless E-911
 208 service to public service answering points, provided:

209 (A) the reimbursement under this Subsection (1)(b) does not exceed the percentage
 210 established by the Utah 911 Committee in accordance with Subsection 53-10-602(3); and

211 (B) the provider submits an invoice for the reimbursement to the committee;

212 (c) the state's Automated Geographic Reference Center in the Division of Information
213 Technology Services, an amount equal to one cent per month levied on telephone services
214 under Section 69-2-5.6 shall be used to enhance and upgrade statewide digital mapping
215 standards.

216 (2) (a) Beginning July 1, 2007, the committee may not grant or loan the money in the
217 fund to a local entity unless the local entity is in compliance with Phase I wireless E-911
218 service.

219 (b) Beginning July 1, 2009, the committee may not grant or loan money in the fund to a
220 local entity unless the local entity is in compliance with Phase II wireless E-911 service.

221 (3) A local entity must deposit any money it receives from the committee into a special
222 emergency telephone service fund in accordance with Subsection 69-2-5(4).

223 (4) For purposes of this part, "local entity" means a county, city, town, special district,
224 local district, or interlocal entity created under Title 11, Chapter 13, Interlocal Cooperation Act.
225 Section 6. Section 53-10-606 is enacted to read:

226 **53-10-606. Committee to report annually.**

227 (1) The committee shall submit an annual report to the Executive Appropriations
228 Committee of the Legislature which shall include:

229 (a) the total aggregate surcharge collected by local entities and the state in the last
230 fiscal year under Sections 69-2-5 and 69-2-5.6;

231 (b) the amount of each disbursement from the fund, whether by loan or grant;

232 (c) the recipient of each disbursement and describing the project for which money was
233 disbursed;

234 (d) the conditions, if any, placed by the committee on disbursements from the fund;

235 (e) the planned expenditures from the fund for the next fiscal year;

236 (f) the amount of any unexpended funds carried forward;

237 (g) a cost study to guide the Legislature towards necessary adjustments of both the
238 Statewide Unified E-911 Emergency Service Fund and the monthly emergency services
239 telephone charge imposed under Section 69-2-5; and

240 (h) a progress report of local government implementation of wireless and land-based
241 E-911 services including:

242 (i) a fund balance or balance sheet from each agency maintaining its own emergency

243 telephone service fund;

244 (ii) a report from each public safety answering point of annual call activity separating
245 wireless and land-based 911 call volumes; and

246 (iii) other relevant justification for ongoing support from the Statewide Unified E-911
247 Emergency Service Fund.

248 (2) (a) The committee may request information from a local entity as necessary to
249 prepare the report required by this section.

250 (b) A local entity imposing a levy under Section 69-2-5 or receiving a grant or loan
251 under Section 53-10-605 shall provide the information requested pursuant to Subsection (2)(a).

252 Section 7. Section **63-55-269** is enacted to read:

253 **63-55-269. Repeal dates, Title 69.**

254 Section 69-2-5.6, Emergency services telephone charge to fund statewide unified E-911
255 emergency service, is repealed July 1, 2011.

256 Section 8. Section **69-2-5** is amended to read:

257 **69-2-5. Funding for 911 emergency telephone service.**

258 (1) In providing funding of 911 emergency telephone service, any public agency
259 establishing a 911 emergency telephone service may:

260 (a) seek assistance from the federal or state government, to the extent constitutionally
261 permissible, in the form of loans, advances, grants, subsidies, and otherwise, directly or
262 indirectly;

263 (b) seek funds appropriated by local governmental taxing authorities for the funding of
264 public safety agencies; and

265 (c) seek gifts, donations, or grants from individuals, corporations, or other private
266 entities.

267 (2) For purposes of providing funding of 911 emergency telephone service, special
268 service districts may raise funds as provided in Section 17A-2-1322 and may borrow money
269 and incur indebtedness as provided in Section 17A-2-1316.

270 (3) (a) Except as provided in Subsection (3)(b) and subject to the other provisions of
271 this Subsection (3) a county, city, or town within which 911 emergency telephone service is
272 provided may levy monthly an emergency services telephone charge on:

273 (i) each local exchange service switched access line within the boundaries of the

274 county, city, or town; and
275 (ii) each revenue producing radio communications access line with a billing address
276 within the boundaries of the county, city, or town.
277 (b) Notwithstanding Subsection (3)(a), an access line provided for public coin
278 telephone service is exempt from emergency telephone charges.
279 (c) The amount of the charge levied under this section may not exceed:
280 (i) ~~53~~ 65 cents per month for each local exchange service switched access line; and
281 (ii) ~~53~~ 65 cents per month for each radio communications access line.
282 (d) (i) For purposes of this Subsection (3)(d) the following terms shall be defined as
283 provided in Section 59-12-102:
284 (A) "mobile telecommunications service";
285 (B) "primary place of use";
286 (C) "service address"; and
287 (D) "telephone service."
288 (ii) An access line described in Subsection (3)(a) is considered to be within the
289 boundaries of a county, city, or town if the telephone services provided over the access line are
290 located within the county, city, or town:
291 (A) for purposes of sales and use taxes under Title 59, Chapter 12, Sales and Use Tax
292 Act; and
293 (B) determined in accordance with Section 59-12-207.
294 (iii) The rate imposed on an access line under this section shall be determined in
295 accordance with Subsection (3)(d)(iv) if the location of an access line described in Subsection
296 (3)(a) is determined under Subsection (3)(d)(ii) to be a county, city, or town other than county,
297 city, or town in which is located:
298 (A) for telephone service other than mobile telecommunications service, the
299 purchaser's service address; or
300 (B) for mobile telecommunications service, the purchaser's primary place of use.
301 (iv) The rate imposed on an access line under this section shall be the lower of:
302 (A) the rate imposed by the county, city, or town in which the access line is located
303 under Subsection (3)(d)(ii); or
304 (B) the rate imposed by the county, city, or town in which it is located:

305 (I) for telephone service other than mobile telecommunications service, the purchaser's
306 service address; or

307 (II) for mobile telecommunications service, the purchaser's primary place of use.

308 (e) (i) A county, city, or town shall notify the Public Service Commission of the intent
309 to levy the charge under this Subsection (3) at least 30 days prior to the effective date of the
310 charge being levied.

311 (ii) For purposes of this Subsection (3)(e):

312 (A) "Annexation" means an annexation to:

313 (I) a city or town under Title 10, Chapter 2, Part 4, Annexation; or

314 (II) a county under Title 17, Chapter 2, Annexation to County.

315 (B) "Annexing area" means an area that is annexed into a county, city, or town.

316 (iii) (A) If, on or after July 1, 2003, a county, city, or town enacts or repeals a charge
317 under this section, the enactment or repeal shall take effect:

318 (I) on the first day of a calendar quarter; and

319 (II) after a 75-day period beginning on the date the State Tax Commission receives
320 notice meeting the requirements of Subsection (3)(e)(iii)(B) from the county, city, or town.

321 (B) The notice described in Subsection (3)(e)(iii)(A) shall state:

322 (I) that the county, city, or town will enact or repeal a charge under this section;

323 (II) the statutory authority for the charge described in Subsection (3)(e)(iii)(B)(I); and

324 (III) the effective date of the charge described in Subsection (3)(e)(iii)(B)(I).

325 (iv) (A) If, for an annexation that occurs on or after July 1, 2003, the annexation will
326 result in a change in a charge imposed under this section being imposed in an annexing area,
327 the change shall take effect:

328 (I) on the first day of a calendar quarter; and

329 (II) after a 75-day period beginning on the date the State Tax Commission receives
330 notice meeting the requirements of Subsection (3)(e)(iv)(B) from the county, city, or town that
331 annexes the annexing area.

332 (B) The notice described in Subsection (3)(e)(iv)(A) shall state:

333 (I) that the annexation described in Subsection (3)(e)(iv)(A) will result in a change in
334 the charge being imposed under this section for the annexing area;

335 (II) the statutory authority for the charge described in Subsection (3)(e)(iv)(B)(I); and

336 (III) the effective date of the charge described in Subsection (3)(e)(iv)(B)(I).
337 (f) Subject to Subsection (3)(g), an emergency services telephone charge levied under
338 this section shall:

339 (i) be billed and collected by the person that provides the:
340 (A) local exchange service switched access line services; or
341 (B) radio communications access line services; and
342 (ii) except for costs retained under Subsection (3)(h), remitted to the State Tax
343 Commission.

344 (g) An emergency services telephone charge on a mobile telecommunications service
345 may be levied, billed, and collected only to the extent permitted by the Mobile
346 Telecommunications Sourcing Act, 4 U.S.C. Sec. 116 et seq.

347 (h) The person that bills and collects the charges levied under Subsection (3)(f) may:
348 (i) bill the charge imposed by this section in combination with the charge levied under
349 Section 69-2-5.6 as one line item charge; and

350 (ii) retain an amount not to exceed 1.5% of the levy collected under this section as
351 reimbursement for the cost of billing, collecting, and remitting the levy.

352 [~~h~~] (i) The State Tax Commission shall:

353 (i) collect, enforce, and administer the charge imposed under this Subsection (3)
354 pursuant to the same procedures used in the administration, collection, and enforcement of the
355 state sales and use taxes under:

356 (A) Title 59, Chapter 1, General Taxation Policies; and
357 (B) Title 59, Chapter 12, Part 1, Tax Collection, except for Sections 59-12-104,
358 59-12-104.1, and 59-12-104.2;

359 (ii) transmit monies collected under this Subsection (3):

360 (A) monthly; and
361 (B) by electronic funds transfer by the commission to the county, city, or town that
362 imposes the charge; and

363 (iii) charge the county, city, or town for the State Tax Commission's services under this
364 Subsection (3) in an amount:

365 (A) sufficient to reimburse the State Tax Commission for the cost to the State Tax
366 Commission in rendering the services; and

367 (B) that may not exceed an amount equal to 1.5% of the charges imposed under this
368 Subsection (3).

369 (4) (a) Any money received by a public agency for the provision of 911 emergency
370 telephone service shall be deposited in a special emergency telephone service fund.

371 (b) (i) ~~[The]~~ Except as provided in Subsection (5), the money in the emergency
372 telephone service fund [described in Subsection (4)(a)] shall be expended by the public agency
373 to pay the costs of establishing, installing, maintaining, and operating a 911 emergency
374 telephone system or integrating a 911 system into an established public safety dispatch center,
375 including contracting with the providers of local exchange service, radio communications
376 service, and vendors of appropriate terminal equipment as necessary to implement the 911
377 emergency telephone service.

378 (ii) Revenues derived for the funding of 911 emergency telephone service may only be
379 used for that portion of costs related to the operation of the 911 emergency telephone system
380 when such a system is integrated with any public safety dispatch system.

381 (c) Any unexpended money in the emergency telephone service fund at the end of a
382 fiscal year does not lapse, and must be carried forward to be used for the purposes described in
383 this section.

384 (5) (a) Revenue received by a local entity from an increase in the levy imposed under
385 Subsection (3) after the 2004 Annual General Session, or from loans or grants from the Utah
386 911 Committee pursuant to Section 53-10-605:

387 (i) shall be deposited into the special emergency telephone service fund described in
388 Subsection (4)(a); and

389 (ii) shall only be used for that portion of the costs related to the development and
390 operation of wireless and land-based enhanced 911 emergency telephone service and the
391 implementation of wireless E-911 Phase I and Phase II services as provided in Subsection
392 (5)(b).

393 (b) The costs allowed under Subsection (5)(a)(ii) shall include the public service
394 answering point's or local entity's costs for:

395 (i) acquisition, upgrade, modification, maintenance, and operation of public service
396 answering point equipment capable of receiving E-911 information;

397 (ii) database development, operation, and maintenance; and

398 (iii) personnel costs associated with establishing, installing, maintaining, and operating
399 wireless E-911 Phase I and Phase II services, including training emergency service personnel
400 regarding receipt and use of E-911 wireless service information and educating consumers
401 regarding the appropriate and responsible use of E-911 wireless service.

402 (6) A local entity that increases the levy it imposes under Subsection (3)(c) after the
403 2004 Annual General Session shall increase the levy to the maximum amount permitted by
404 Subsection (3)(c).

405 Section 9. Section **69-2-5.6** is enacted to read:

406 **69-2-5.6. Emergency services telephone charge to fund statewide unified E-911**
407 **emergency service.**

408 (1) Subject to Subsection 69-2-5(3)(g), there is imposed a statewide unified E-911
409 emergency service charge of 14 cents per month on each local exchange service switched
410 access line and each revenue producing radio communications access line that is subject to an
411 emergency services telephone charge levied by a county, city, or town under Section 69-2-5 or
412 69-2-5.5.

413 (2) The emergency services telephone charge imposed under this section shall be:

414 (a) subject to Subsection 69-2-5(3)(g);

415 (b) billed and collected by the person that provides:

416 (i) local exchange service switched access line services; or

417 (ii) radio communications access line services;

418 (c) except for costs retained under Subsection (3), remitted to the State Tax

419 Commission at the same time as the person remits to the State Tax Commission monies

420 collected by the person under Title 59, Chapter 12, Sales and Use Tax Act; and

421 (d) deposited into the Statewide Unified E-911 Emergency Service Fund restricted

422 account in the General Fund created by Section 53-10-603.

423 (3) The person that bills and collects the charges levied by this section pursuant to

424 Subsections (2)(b) and (c), may:

425 (a) bill the charge imposed by this section in combination with the charge levied under

426 Section 69-2-5 as one line item charge; and

427 (b) retain an amount not to exceed 1.5% of the charges collected under this section as

428 reimbursement for the cost of billing, collecting and remitting the levy.

429 (4) The State Tax Commission shall collect, enforce, and administer the charges
430 imposed under Subsection (1) pursuant to the same procedures used in the administration,
431 collection, and enforcement of the emergency services telephone charge to fund the Poison
432 Control Center under Section 69-2-5.5.

433 (5) This section sunsets in accordance with Section 63-55-269.

434 **Section 10. Repealer.**

435 This bill repeals:

436 Section **53-10-503, Utah 911 Committee.**

437 **Section 11. Appropriation.**

438 There is appropriated:

439 (1) \$3.2 million from the Statewide Unified E-911 Emergency Service Fund for fiscal
440 year 2004-05, to the Utah 911 Committee for the development of enhanced 911 emergency
441 services and integrated wireless systems as provided in Section 53-10-605. The appropriation
442 from the Statewide Unified E-911 Emergency Service Fund is intended to be ongoing, but not
443 of a fixed dollar amount, as provided in Section 53-10-605; and

444 (2) \$250,000 from the Statewide Unified E-911 Emergency Service Fund for fiscal
445 year 2004-05, to the Automated Geographic Reference Center in the Division of Information
446 Technology Services to enhance and upgrade the statewide digital mapping standards as
447 provided in Subsection 53-10-605. The appropriation from the Statewide Unified E-911
448 Emergency Service Fund is intended to be ongoing, but not of a fixed dollar amount, as
449 provided in Section 53-10-605.

450 **Section 12. Effective date.**

451 (1) If approved by two-thirds of all the members elected to each house, this act takes
452 effect upon approval by the governor, or the day following the constitutional time limit of Utah
453 Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto,
454 the date of veto override except that the following sections take effect on July 1, 2004:

455 (a) Section 69-2-5; and

456 (b) Section 69-2-5.6.

457 (2) Effective July 1, 2006, change the statewide unified E-911 emergency service
458 charge in Subsection 69-2-5.6(1) from 14 cents per month to eight cents per month.