

1 **MANAGEMENT, ENHANCEMENT, AND**
2 **FUNDING OF 911 SYSTEM**

3 2004 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Brad L. Dee**

7 **LONG TITLE**

8 **General Description:**

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

12 **Highlighted Provisions:**

13 This bill:

- 14 ▶ creates a 16 cent per month state fee on telephone services for unified statewide
15 E-911 emergency services;
- 16 ▶ provides for the administration, collection, and enforcement of telephone E-911
17 emergency fees by the State Tax Commission;
- 18 ▶ deposits the telephone fees into a restricted account in the General Fund for unified
19 statewide E-911 emergency services;
- 20 ▶ repeals the advisory Utah 911 Committee in the Bureau of Communications in the
21 Department of Public Safety;
- 22 ▶ creates a new state Utah 911 Committee in the Department of Public Safety to
23 develop state standards for the unified E-911 emergency system and to administer
24 the fund;
- 25 ▶ 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 ▶ reduces the 16 cent state E-911 emergency service fee in 2006 to nine cents;
- 32 ▶ sunsets the state imposed fee on July 1, 2011; and
- 33 ▶ makes technical changes.

34 **Monies Appropriated in this Bill:**

35 This bill appropriates for fiscal year 2004-05 only, \$3.7 million from the Statewide
36 Unified E-911 Emergency Service Fund to the Utah 911 Committee.

37 **Other Special Clauses:**

- 38 This bill takes effect immediately, except:
- 39 ▶ the effect of the local and state fee increase is delayed until July 1, 2004;
 - 40 ▶ the amount of the state imposed fee is amended on July 1, 2006; and
 - 41 ▶ the state imposed fee sunsets on July 1, 2011.

42 **Utah Code Sections Affected:**

43 AMENDS:

44 **69-2-5**, as last amended by Chapter 253, Laws of Utah 2003

45 ENACTS:

- 46 **53-10-601**, Utah Code Annotated 1953
- 47 **53-10-602**, Utah Code Annotated 1953
- 48 **53-10-603**, Utah Code Annotated 1953
- 49 **53-10-604**, Utah Code Annotated 1953
- 50 **53-10-605**, Utah Code Annotated 1953
- 51 **53-10-606**, Utah Code Annotated 1953
- 52 **63-55-269**, Utah Code Annotated 1953
- 53 **69-2-5.6**, Utah Code Annotated 1953

54 REPEALS:

55 **53-10-503**, as enacted by Chapter 269, Laws of Utah 2002



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

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

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

60 **53-10-601. Utah 911 Committee.**

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

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

64 Answering Points:

65 (i) Salt Lake County;

66 (ii) Davis County;

67 (iii) Utah County; and

68 (iv) Weber County;

69 (b) three members representing the following Primary Emergency Public Safety

70 Answering Points:

71 (i) Bear River Association;

72 (ii) Uintah Basin Association;

73 (iii) South East Association;

74 (iv) Six County Association; and

75 (v) Five County Association;

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

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

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

80 (iii) two representatives from radio communications services as defined in Section
81 69-2-2;

82 (d) a representative from the Department of Public Safety; and

83 (e) a representative from the Utah Committee of Consumer Services.

84 (2) (a) Each committee member shall be appointed by the governor with the consent of
85 the Senate.

86 (b) The term of office of each member is four years, except that the governor shall
87 appoint two representatives each from Subsections (1)(a), (b), and (c) to an initial two-year
88 term.

89 (c) The representatives from Subsection (1)(b) must rotate to provide each geographic

90 location at least one representative every four years.

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

92 (e) Each mid-term vacancy shall be filled for the unexpired term in the same manner as
93 an appointment under Subsection (2)(a).

94 (3) (a) Committee members shall elect a chair from their number and establish rules for
95 the organization and operation of the committee, with the chair rotating among representatives
96 from Subsections (1)(a), (b), and (c) every year.

97 (b) Staff services to the committee:

98 (i) shall be provided by the division; and

99 (ii) may be provided by local entities through the Utah Association of Counties and the
100 Utah League of Cities and Towns, with funds approved by the committee from those identified
101 as available to local entities under Section 53-10-605.

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

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

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

106 **53-10-602. Committee's duties and powers.**

107 (1) The committee shall:

108 (a) review and make recommendations to the division, the Bureau of Communications,
109 public safety answering points, the Utah Committee of Consumer Services, and the Legislature
110 on:

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

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

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

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

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

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

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

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

126 (3) The committee may establish a cap on the percentage of reimbursement allowed
127 under Subsection 69-2-5(5)(c)(ii)(B)(I) provided that:

128 (a) the percentage does not exceed revenues received under Subsection 69-2-5(5)(a);

129 (b) the percentage is based on the aggregated cost studies required by Section
130 53-10-606; and

131 (c) the reimbursement allowed under Subsection 69-2-5(5)(c)(ii)(B)(I) does not exceed
132 125% of any wireless carrier's contribution to the fund.

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

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

138 **53-10-603. Creation of Statewide Unified E-911 Emergency Service Fund.**

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

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

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

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

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

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

147 **53-10-604. Committee expenses -- Tax commission expenses -- Division of Finance**
148 **responsibilities.**

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

151 (2) (a) The expenses and costs of the State Tax Commission to administer and enforce

152 the collection of the telephone levy imposed by Section 69-2-5.6 shall be paid from the fund.

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

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

157 (3) (a) The Division of Finance shall be responsible for the care, custody, safekeeping,
158 collection, and accounting for loans or grants issued by the committee under the provisions of
159 Section 53-10-605.

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

162 (c) The charges imposed under Subsection (3)(b) may not exceed an amount equal to
163 1.5% of the loans or grants issued under Subsection (3)(a).

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

165 **53-10-605. Use of money in fund -- Criteria -- Administration.**

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

167 (a) the committee, the committee may:

168 (i) authorize the use of the money in the fund, by grant or loan to a local entity or state
169 agency in accordance with this Subsection (1) and Subsection (2);

170 (ii) grant or loan to state agencies and local entities an amount not to exceed the per
171 month fee levied on telephone services under Section 69-2-5.6 for installation, implementation,
172 and maintenance of unified, statewide 911 emergency services and technology; and

173 (iii) grant or loan to counties of the third through sixth class an amount not to exceed 3
174 cents per month levied on telephone services under Section 69-2-5.6 to enhance the 911
175 emergency services and integrate wireless systems and location technology in rural areas of the
176 state; and

177 (b) the state's Automated Geographic Reference Center in the Division of Information
178 Technology Services, an amount equal to 1 cent per month levied on telephone services under
179 Section 69-2-5.6 shall be used to enhance and upgrade statewide digital mapping standards.

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

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

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

187 (4) For purposes of this part, "local entity" means a county, city, town, special district,
188 local district, or interlocal entity created under Title 11, Chapter 13, Interlocal Cooperation Act.

189 Section 6. Section **53-10-606** is enacted to read:

190 **53-10-606. Committee to report annually.**

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

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

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

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

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

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

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

201 (g) a cost study to guide the Legislature towards necessary adjustments of both the
202 Statewide Unified E-911 Emergency Service Fund and the monthly emergency services

203 telephone charge imposed under Section 69-2-5; and

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

206 (i) a fund balance or balance sheet from each agency maintaining its own emergency
207 telephone service fund;

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

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

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

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

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

217 **63-55-269. Repeal dates, Title 69.**

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

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

221 **69-2-5. Funding for 911 emergency telephone service.**

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

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

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

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

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

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

237 (i) each local exchange service switched access line within the boundaries of the
238 county, city, or town; and

239 (ii) each revenue producing radio communications access line with a billing address
240 within the boundaries of the county, city, or town.

241 (b) Notwithstanding Subsection (3)(a), an access line provided for public coin
242 telephone service is exempt from emergency telephone charges.

243 (c) The amount of the charge levied under this section may not exceed:

244 (i) [~~53~~] 65 cents per month for each local exchange service switched access line; and

- 245 (ii) ~~[53]~~ 65 cents per month for each radio communications access line.
- 246 (d) (i) For purposes of this Subsection (3)(d) the following terms shall be defined as
- 247 provided in Section 59-12-102:
- 248 (A) "mobile telecommunications service";
- 249 (B) "primary place of use";
- 250 (C) "service address"; and
- 251 (D) "telephone service."
- 252 (ii) An access line described in Subsection (3)(a) is considered to be within the
- 253 boundaries of a county, city, or town if the telephone services provided over the access line are
- 254 located within the county, city, or town:
- 255 (A) for purposes of sales and use taxes under Title 59, Chapter 12, Sales and Use Tax
- 256 Act; and
- 257 (B) determined in accordance with Section 59-12-207.
- 258 (iii) The rate imposed on an access line under this section shall be determined in
- 259 accordance with Subsection (3)(d)(iv) if the location of an access line described in Subsection
- 260 (3)(a) is determined under Subsection (3)(d)(ii) to be a county, city, or town other than county,
- 261 city, or town in which is located:
- 262 (A) for telephone service other than mobile telecommunications service, the
- 263 purchaser's service address; or
- 264 (B) for mobile telecommunications service, the purchaser's primary place of use.
- 265 (iv) The rate imposed on an access line under this section shall be the lower of:
- 266 (A) the rate imposed by the county, city, or town in which the access line is located
- 267 under Subsection (3)(d)(ii); or
- 268 (B) the rate imposed by the county, city, or town in which it is located:
- 269 (I) for telephone service other than mobile telecommunications service, the purchaser's
- 270 service address; or
- 271 (II) for mobile telecommunications service, the purchaser's primary place of use.
- 272 (e) (i) A county, city, or town shall notify the Public Service Commission of the intent
- 273 to levy the charge under this Subsection (3) at least 30 days prior to the effective date of the
- 274 charge being levied.
- 275 (ii) For purposes of this Subsection (3)(e):

276 (A) "Annexation" means an annexation to:
277 (I) a city or town under Title 10, Chapter 2, Part 4, Annexation; or
278 (II) a county under Title 17, Chapter 2, Annexation to County.
279 (B) "Annexing area" means an area that is annexed into a county, city, or town.
280 (iii) (A) If, on or after July 1, 2003, a county, city, or town enacts or repeals a charge
281 under this section, the enactment or repeal shall take effect:
282 (I) on the first day of a calendar quarter; and
283 (II) after a 75-day period beginning on the date the State Tax Commission receives
284 notice meeting the requirements of Subsection (3)(e)(iii)(B) from the county, city, or town.
285 (B) The notice described in Subsection (3)(e)(iii)(A) shall state:
286 (I) that the county, city, or town will enact or repeal a charge under this section;
287 (II) the statutory authority for the charge described in Subsection (3)(e)(iii)(B)(I); and
288 (III) the effective date of the charge described in Subsection (3)(e)(iii)(B)(I).
289 (iv) (A) If, for an annexation that occurs on or after July 1, 2003, the annexation will
290 result in a change in a charge imposed under this section being imposed in an annexing area,
291 the change shall take effect:
292 (I) on the first day of a calendar quarter; and
293 (II) after a 75-day period beginning on the date the State Tax Commission receives
294 notice meeting the requirements of Subsection (3)(e)(iv)(B) from the county, city, or town that
295 annexes the annexing area.
296 (B) The notice described in Subsection (3)(e)(iv)(A) shall state:
297 (I) that the annexation described in Subsection (3)(e)(iv)(A) will result in a change in
298 the charge being imposed under this section for the annexing area;
299 (II) the statutory authority for the charge described in Subsection (3)(e)(iv)(B)(I); and
300 (III) the effective date of the charge described in Subsection (3)(e)(iv)(B)(I).
301 (f) Subject to Subsection (3)(g), an emergency services telephone charge levied under
302 this section shall:
303 (i) be billed and collected by the person that provides the:
304 (A) local exchange service switched access line services; or
305 (B) radio communications access line services; and
306 (ii) remitted to the State Tax Commission.

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

310 (h) The State Tax Commission shall:

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

314 (A) Title 59, Chapter 1, General Taxation Policies; and

315 (B) Title 59, Chapter 12, Part 1, Tax Collection, except for Sections 59-12-104,
316 59-12-104.1, and 59-12-104.2;

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

318 (A) monthly; and

319 (B) by electronic funds transfer by the commission to the county, city, or town that
320 imposes the charge; and

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

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

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

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

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

336 (ii) Revenues derived for the funding of 911 emergency telephone service may only be
337 used for that portion of costs related to the operation of the 911 emergency telephone system

338 when such a system is integrated with any public safety dispatch system.

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

342 (5) (a) Revenue received by a local entity from an increase in the levy imposed under
343 Subsection (3) after the 2004 Annual General Session, or from loans or grants from the Utah
344 911 Committee pursuant to Section 53-10-605:

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

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

351 (b) The costs allowed under Subsection (5)(a)(ii):

352 (i) shall include the public service answering point's or local entity's costs for:

353 (A) acquisition, upgrade, modification, maintenance, and operation of public service
354 answering point equipment capable of receiving E-911 information;

355 (B) database development, operation, and maintenance; and

356 (C) personnel costs associated with establishing, installing, maintaining, and operating
357 wireless E-911 Phase I and Phase II services, including training emergency service personnel
358 regarding receipt and use of E-911 wireless service information and educating consumers
359 regarding the appropriate and responsible use of E-911 wireless service; and

360 (ii) may include reimbursement to a provider of radio communications service as
361 defined in Section 69-2-2 for costs as provided in Subsection (5)(c).

362 (c) An agreement to reimburse costs to a provider of radio communications services:

363 (i) must be a written agreement between a public service answering point or other local
364 entity receiving money under Subsection (5)(a), and a provider; and

365 (ii) may include reimbursement:

366 (A) in an amount not to exceed 1.5% of the levy imposed under Subsection (3), for the
367 provider's recurring costs of billing, collecting, and remitting the levy; and

368 (B) to the provider for the cost of design, development, and implementation of

369 equipment or software necessary to provide enhanced E-911 wireless service information to
370 public service answering points, provided:

371 (I) the reimbursement under this Subsection (5)(c)(ii)(B) does not exceed the
372 percentage established by the Utah 911 Committee in accordance with Subsection
373 53-10-602(3); and

374 (II) the provider submits an invoice for the reimbursement to the public service
375 answering point or local entity and the invoice is approved.

376 (6) A local entity that increases the levy it imposes under Subsection (3)(c) after the
377 2004 Annual General Session shall increase the levy to the maximum amount permitted by
378 Subsection (3)(c).

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

380 **69-2-5.6. Emergency services telephone charge to fund statewide unified E-911**
381 **emergency service.**

382 (1) Subject to Subsection 69-2-5(3)(g), there is imposed a statewide unified E-911
383 emergency service charge of 16 cents per month on each local exchange service switched
384 access line and each revenue producing radio communications access line that is subject to an
385 emergency services telephone charge levied by a county, city, or town under Section 69-2-5 or
386 69-2-5.5.

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

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

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

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

391 (ii) radio communications access line services;

392 (c) remitted to the State Tax Commission at the same time as the person remits to the
393 State Tax Commission monies collected by the person under Title 59, Chapter 12, Sales and
394 Use Tax Act; and

395 (d) deposited into the Statewide Unified E-911 Emergency Service Fund restricted
396 account in the General Fund created by Section 53-10-603.

397 (3) The State Tax Commission shall collect, enforce, and administer the charges
398 imposed under Subsection (1) pursuant to the same procedures used in the administration,
399 collection, and enforcement of the emergency services telephone charge to fund the Poison

400 Control Center under Section 69-2-5.5.

401 (4) This section sunsets in accordance with Section 63-55-269.

402 Section 10. **Repealer.**

403 This bill repeals:

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

405 Section 11. **Appropriation.**

406 There is appropriated \$3.7 million from the Statewide Unified E-911 Emergency
407 Service Fund for fiscal year 2004-05 only, to the Utah 911 Committee for the development of
408 enhanced 911 emergency services and integrated wireless systems as provided in Section
409 53-10-605. The appropriation from the Statewide Unified E-911 Emergency Service Fund is
410 intended to be ongoing, but not of a fixed dollar amount, as provided in Section 53-10-605.

411 Section 12. **Effective date.**

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

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

417 (b) Section 69-2-5.6.

418 (2) Effective July 1, 2006, change the statewide unified E-911 emergency service
419 charge in Subsection 69-2-5.6(1) from 16 cents per month to nine cents per month.

Legislative Review Note
as of 12-5-03 11:37 AM

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

Office of Legislative Research and General Counsel

Interim Committee Note
as of 12-10-03 12:11 PM

The Law Enforcement and Criminal Justice Interim Committee recommended this bill.

State Impact

This bill appropriates \$3,700,000 from the Statewide Unified E-911 Emergency Service Fund to the Utah 911 Committee. Funding is intended to be on-going but not necessarily at the same amount. The \$0.16 fee per line (conventional and wireless) state tax will generate \$4,086,600 in eleven months of collection of FY 05. The \$0.16 state tax is reduced to \$0.09 in FY 07. The bill increases the cap from \$0.53 to \$0.65 that local governments are allowed to tax the same lines. If local governments increase taxes to the new cap, they will generate \$3,065,000 for the same 11 month year (collections lag one month).

	<u>FY 2005</u> <u>Approp.</u>	<u>FY 2006</u> <u>Approp.</u>	<u>FY 2005</u> <u>Revenue</u>	<u>FY 2006</u> <u>Revenue</u>
GF Restricted	\$3,700,000	\$0	\$4,086,600	\$4,458,100
TOTAL	\$3,700,000	\$0	\$4,086,600	\$4,458,100

Individual and Business Impact

Individuals and business will pay an additional \$0.16 per phone line per month plus whatever local governments add under the new cap.

Office of the Legislative Fiscal Analyst