

**Senator David L. Gladwell** proposes the following substitute bill:

**MANAGEMENT, ENHANCEMENT, AND**

**FUNDING OF 911 SYSTEM**

2004 GENERAL SESSION

STATE OF UTAH

**Sponsor: Brad L. Dee**

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**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 13 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;

27       ▶ requires the Utah 911 Committee to report annually to the Executive Appropriations  
28 Committee;

29       ▶ authorizes local governments to increase the local levy on telephone services for  
30 911 emergency services from a maximum of 53 cents per month to a maximum of  
31 65 cents per month;

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

34       ▶ reduces the 13 cent state E-911 emergency service fee in 2006 to eight cents;

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

36       ▶ makes technical changes.

37 **Monies Appropriated in this Bill:**

38       This bill appropriates for fiscal year 2004-05:

39       ▶ \$3.2 million from the Statewide Unified E-911 Emergency Service Fund to the Utah  
40 911 Committee; and

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

44 **Other Special Clauses:**

45       This bill takes effect immediately, except:

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

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

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

49 **Utah Code Sections Affected:**

50 AMENDS:

51       **69-2-5**, as last amended by Chapter 253, Laws of Utah 2003

52 ENACTS:

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

54       **53-10-602**, Utah Code Annotated 1953

55       **53-10-603**, Utah Code Annotated 1953

56       **53-10-604**, Utah Code Annotated 1953

- 57           **53-10-605**, Utah Code Annotated 1953
- 58           **53-10-606**, Utah Code Annotated 1953
- 59           **63-55-269**, Utah Code Annotated 1953
- 60           **69-2-5.6**, Utah Code Annotated 1953

61 REPEALS:

62           **53-10-503**, as enacted by Chapter 269, Laws of Utah 2002



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

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

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

67                           **53-10-601. Utah 911 Committee.**

68                           (1) There is created within the division, the Utah 911 Committee consisting of the  
69 following 15 members:

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

71 Answering Points:

72                           (i) Salt Lake County;

73                           (ii) Davis County;

74                           (iii) Utah County; and

75                           (iv) Weber County;

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

77 Answering Points:

78                           (i) Bear River Association;

79                           (ii) Uintah Basin Association;

80                           (iii) South East Association;

81                           (iv) Six County Association;

82                           (v) Five County Association; and

83                           (vi) Mountainlands Association, not including Utah County;

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

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

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

88 (iii) two representatives from radio communications services as defined in Section  
89 69-2-2;

90 (d) two representatives from the Department of Public Safety, one of whom represents  
91 urban Utah and the other rural Utah; and

92 (e) a representative from the Division of Information Technology Services.

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

94 (i) a member described in Subsection (1)(a) shall be appointed by the governor from a  
95 nominee or nominees submitted to the governor by the council of government for that  
96 member's county;

97 (ii) the four members described in Subsection (1)(b) shall be appointed by the governor  
98 from a nominee or nominees submitted to the governor by the associations described in  
99 Subsection (1)(b) as follows:

100 (A) the six associations shall select by lot, the first four associations to begin the  
101 rotation of membership as required by Subsection (2)(b)(i); and

102 (B) as each association is represented on the commission in accordance with  
103 Subsection (2)(c), that association shall select the person to represent it on the commission;

104 (iii) the members described in Subsection (1)(c) shall be appointed by the governor  
105 with the consent of the Senate; and

106 (iv) the members described in Subsections (1)(d) and (e) shall be appointed by the  
107 governor.

108 (b) The term of office of each member is four years, except as provided in Subsections  
109 (2)(b)(ii) through (iv).

110 (i) The representatives from Subsection (1)(b) must rotate to provide each geographic  
111 location at least one representative every four years, except as provided for the initial  
112 appointment under Subsection (2)(b)(ii).

113 (ii) The associations listed in Subsection (1)(b) shall select by lot, two of its members  
114 to an initial two-year term.

115 (iii) The governor shall appoint two representatives from Subsection (1)(c) to initial  
116 two-year terms.

117 (iv) The public service answering points listed in Subsection (1)(a) shall, by lot, select  
118 two members to serve an initial two-year term.

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

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

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

125 (b) Staff services to the committee:

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

127 (ii) may be provided by local entities through the Utah Association of Counties and the  
128 Utah League of Cities and Towns.

129 (c) Funding for staff services shall be provided with funds approved by the committee  
130 from those identified under Section 53-10-605.

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

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

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

135 **53-10-602. Committee's duties and powers.**

136 (1) The committee shall:

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

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

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

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

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

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

149 (c) assist as many local entities as possible, at their request, to implement the

150 recommendations of the committee; and

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

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

154 (3) The committee shall issue the reimbursement allowed under Subsection  
155 53-10-605(1)(b) provided that:

156 (a) the reimbursement is based on aggregated cost studies submitted to the committee  
157 by the wireless carriers seeking reimbursement; and

158 (b) the reimbursement to any one carrier does not exceed 125% of the wireless carrier's  
159 contribution to the fund.

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

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

165 **53-10-603. Creation of Statewide Unified E-911 Emergency Service Fund.**

166 (1) There is created a restricted account in the General Fund entitled the "Statewide  
167 Unified E-911 Emergency Service Fund," or "fund" consisting of:

168 (a) proceeds from the fee imposed in Section 69-2-5.6;

169 (b) money appropriated or otherwise made available by the Legislature;

170 (c) proceeds from the levy imposed in Section 69-2-5, as required by Subsection  
171 69-2-5(3)(c)(iii); and

172 (d) contributions of money, property, or equipment from federal agencies, political  
173 subdivisions of the state, persons, or corporations.

174 (2) The moneys in this fund shall be used exclusively for the following statewide  
175 public purposes:

176 (a) enhancing public safety as provided in this chapter;

177 (b) providing a statewide, unified, wireless E-911 service available to public service  
178 answering points; and

179 (c) providing reimbursement to providers for certain costs associated with Phase 1  
180 wireless E-911 service.

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

182 **53-10-604. Committee expenses -- Tax commission expenses -- Division of Finance**  
183 **responsibilities.**

184 (1) Committee expenses and the costs of administering grants from the fund, as  
185 provided in Subsection (3), shall be paid from the fund.

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

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

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

192 (3) (a) The Division of Finance shall be responsible for the care, custody, safekeeping,  
193 collection, and accounting for grants issued by the committee under the provisions of Section  
194 53-10-605.

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

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

198 **53-10-605. Use of money in fund -- Criteria -- Administration.**

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

200 (a) the committee, the committee shall:

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

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

206 (iii) in addition to any money under Subsection (1)(a)(ii), grant to counties of the third  
207 through sixth class the amount dedicated for rural assistance, which is at least 3 cents per  
208 month levied on telephone services under Section 69-2-5.6 to:

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

211 (B) where needed, assist the counties, in cooperation with private industry, with the

212 creation or integration of wireless systems and location technology in rural areas of the state;  
213 and

214 (b) the committee, the committee shall:

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

217 (ii) an agreement to reimburse costs to a provider of radio communications services  
218 must be a written agreement among the committee, the local public safety answering point and  
219 the carrier; and

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

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

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

226 (C) the provider has not been reimbursed by the consumer for the costs submitted to  
227 the committee;

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

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

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

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

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

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

240 **53-10-606. Committee to report annually.**

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



- 243 (a) the total aggregate surcharge collected by local entities and the state in the last  
244 fiscal year under Sections 69-2-5 and 69-2-5.6;
- 245 (b) the amount of each disbursement from the fund;
- 246 (c) the recipient of each disbursement and describing the project for which money was  
247 disbursed;
- 248 (d) the conditions, if any, placed by the committee on disbursements from the fund;
- 249 (e) the planned expenditures from the fund for the next fiscal year;
- 250 (f) the amount of any unexpended funds carried forward;
- 251 (g) a cost study to guide the Legislature towards necessary adjustments of both the  
252 Statewide Unified E-911 Emergency Service Fund and the monthly emergency services  
253 telephone charge imposed under Section 69-2-5; and
- 254 (h) a progress report of local government implementation of wireless and land-based  
255 E-911 services including:
- 256 (i) a fund balance or balance sheet from each agency maintaining its own emergency  
257 telephone service fund;
- 258 (ii) a report from each public safety answering point of annual call activity separating  
259 wireless and land-based 911 call volumes; and
- 260 (iii) other relevant justification for ongoing support from the Statewide Unified E-911  
261 Emergency Service Fund.
- 262 (2) (a) The committee may request information from a local entity as necessary to  
263 prepare the report required by this section.
- 264 (b) A local entity imposing a levy under Section 69-2-5 or receiving a grant under  
265 Section 53-10-605 shall provide the information requested pursuant to Subsection (2)(a).
- 266 Section 7. Section **63-55-269** is enacted to read:
- 267 **63-55-269. Repeal dates, Title 69.**
- 268 Section 69-2-5.6, Emergency services telephone charge to fund statewide unified E-911  
269 emergency service, is repealed July 1, 2011.
- 270 Section 8. Section **69-2-5** is amended to read:
- 271 **69-2-5. Funding for 911 emergency telephone service.**
- 272 (1) In providing funding of 911 emergency telephone service, any public agency  
273 establishing a 911 emergency telephone service may:

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

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

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

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

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

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

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

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

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

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

295 (ii) ~~[53]~~ 65 cents per month for each radio communications access line~~[-]; and~~

296 (iii) 4 cents of the amount of the charge levied under Subsections (3)(c)(i) and (ii), less  
297 the collection costs of the provider and Tax Commission permitted by Subsection (3)(h) and  
298 Subsection 53-1-604(2)(b), shall be deposited monthly in the statewide unified E-911  
299 Emergency Service Fund created in Section 53-10-603, for the purposes outlined in that  
300 section.

301 (d) (i) For purposes of this Subsection (3)(d) the following terms shall be defined as  
302 provided in Section 59-12-102:

303 (A) "mobile telecommunications service";

304 (B) "primary place of use";

305 (C) "service address"; and

306 (D) "telephone service."

307 (ii) An access line described in Subsection (3)(a) is considered to be within the  
308 boundaries of a county, city, or town if the telephone services provided over the access line are  
309 located within the county, city, or town:

310 (A) for purposes of sales and use taxes under Title 59, Chapter 12, Sales and Use Tax  
311 Act; and

312 (B) determined in accordance with Section 59-12-207.

313 (iii) The rate imposed on an access line under this section shall be determined in  
314 accordance with Subsection (3)(d)(iv) if the location of an access line described in Subsection  
315 (3)(a) is determined under Subsection (3)(d)(ii) to be a county, city, or town other than county,  
316 city, or town in which is located:

317 (A) for telephone service other than mobile telecommunications service, the  
318 purchaser's service address; or

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

320 (iv) The rate imposed on an access line under this section shall be the lower of:

321 (A) the rate imposed by the county, city, or town in which the access line is located  
322 under Subsection (3)(d)(ii); or

323 (B) the rate imposed by the county, city, or town in which it is located:

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

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

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

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

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

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

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

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

335 (iii) (A) If, on or after July 1, 2003, a county, city, or town enacts or repeals a charge

336 under this section, the enactment or repeal shall take effect:

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

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

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

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

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

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

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

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

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

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

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

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

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

356 (f) Subject to Subsection (3)(g), an emergency services telephone charge levied under  
357 this section shall:

358 (i) be billed and collected by the person that provides the:

359 (A) local exchange service switched access line services; or

360 (B) radio communications access line services; and

361 (ii) except for costs retained under Subsection (3)(h), remitted to the State Tax  
362 Commission.

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

366 (h) The person that bills and collects the charges levied under Subsection (3)(f) may:

367            (i) bill the charge imposed by this section in combination with the charge levied under  
368 Section 69-2-5.6 as one line item charge; and

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

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

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

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

376            (B) Title 59, Chapter 12, Part 1, Tax Collection, except for Sections 59-12-104,  
377 59-12-104.1, and 59-12-104.2;

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

379            (A) monthly; and

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

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

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

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

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

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

397            (ii) Revenues derived for the funding of 911 emergency telephone service may only be

398 used for that portion of costs related to the operation of the 911 emergency telephone system  
399 when such a system is integrated with any public safety dispatch system.

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

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

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

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

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

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

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

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

421 (6) A local entity that increases the levy it imposes under Subsection (3)(c) after the  
422 2004 Annual General Session shall increase the levy to the maximum amount permitted by  
423 Subsection (3)(c).

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

425 **69-2-5.6. Emergency services telephone charge to fund statewide unified E-911**  
426 **emergency service.**

427 (1) Subject to Subsection 69-2-5(3)(g), there is imposed a statewide unified E-911  
428 emergency service charge of 13 cents per month on each local exchange service switched

429 access line and each revenue producing radio communications access line that is subject to an  
430 emergency services telephone charge levied by a county, city, or town under Section 69-2-5 or  
431 69-2-5.5.

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

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

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

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

436 (ii) radio communications access line services;

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

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

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

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

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

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

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

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

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

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

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

448 (4) The State Tax Commission shall collect, enforce, and administer the charges

449 imposed under Subsection (1) pursuant to the same procedures used in the administration,

450 collection, and enforcement of the emergency services telephone charge to fund the Poison

451 Control Center under Section 69-2-5.5.

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

453 **Section 10. Repealer.**

454 This bill repeals:

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

456 **Section 11. Appropriation.**

457 There is appropriated:

458 (1) \$3.2 million from the Statewide Unified E-911 Emergency Service Fund for fiscal

459 year 2004-05, to the Utah 911 Committee for the development of enhanced 911 emergency

460 services and integrated wireless systems as provided in Section 53-10-605. The appropriation  
461 from the Statewide Unified E-911 Emergency Service Fund is intended to be ongoing, but not  
462 of a fixed dollar amount, as provided in Section 53-10-605; and

463 (2) \$250,000 from the Statewide Unified E-911 Emergency Service Fund for fiscal  
464 year 2004-05, to the Automated Geographic Reference Center in the Division of Information  
465 Technology Services to enhance and upgrade the statewide digital mapping standards as  
466 provided in Subsection 53-10-605. The appropriation from the Statewide Unified E-911  
467 Emergency Service Fund is intended to be ongoing, but not of a fixed dollar amount, as  
468 provided in Section 53-10-605.

469 Section 12. **Effective date.**

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

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

475 (b) Section 69-2-5.6.

476 (2) Effective July 1, 2006, change the statewide unified E-911 emergency service  
477 charge in Subsection 69-2-5.6(1) from 14 cents per month to 8 cents per month.