

SESSION OF 2012

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 384**

As Amended by Senate Committee on Utilities

**Brief\***

SB 384 would clarify several provisions in the 911 Act, which was enacted by the 2011 Legislature. The bill would modify the definition of the term "subscriber account," add a definition for the term "multi-line telephone system," stagger the terms of office for voting members of the 911 Coordinating Council, and further specify the process by which revenues from prepaid wireless would be distributed to Public Safety Answering Points (PSAPs). The bill also would make a technical correction. The specific changes are as follows:

- The definition of "subscriber account" would be modified to specify the 911 fee would be imposed on the maximum number of simultaneous outbound calling capabilities of a multi-line telephone system or equivalent service. Multi-line telephone service is defined in the bill. Current law calls for the fee to be assessed on every 10-digit access number assigned to a service user.
- The initial terms of office of 911 Coordinating Council voting members would be for either two, three, or four years. Current law does not provide for staggered terms of office. Under the bill, the four members with an initial two-year term of office include those members representing information technology personnel from governmental units, the Adjutant General, PSAPs in counties with less than a population of 75,000, and PSAPs in counties with

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

a population greater than 75,000. The four members with an initial three-year term of office would include those members representing information technology personnel from governmental units, the Emergency Medical Services Board, PSAPs in counties with less than a population of 75,000 , and PSAPs in counties without regard to size. The four members with an initial four-year term of office would include those members representing a fire chief, a law enforcement officer, the Commission for the Deaf and Hard of Hearing, and PSAPs in counties with more than a population of 75,000 .

- The bill would further specify the distribution method for prepaid wireless fees that are distributed to PSAPs. (The first \$2.0 million of prepaid wireless revenue is placed in a grant fund; revenues in excess of \$2.0 million are distributed.) Current law calls for the excess to be distributed to PSAPs based on place of primary use; however, that distribution is not available for prepaid wireless. The bill would distribute the prepaid wireless revenues in excess of \$2.0 million to counties based on their percentage share of the state population. In counties with more than one PSAP, the county share would be divided among the PSAPs based on the PSAPs share of the county population. In a county with no PSAP, the county share would be distributed to the PSAP providing service to such county.

## **Background**

The Chairperson of the 911 Coordinating Council testified in support of the bill. He noted that historically, wireline 911 tax on businesses was capped at 100 lines. Because the 911 Act passed in 2011 did not contain that language, businesses with hundreds of access numbers

assigned are charged a fee for every number, even though the business might have a significantly lower simultaneous outbound calling capacity. He stated the proposed change would not result in an appreciable change in the amount of 911 fees historically collected from businesses or other organizations using a multi-line or equivalent telephone system. He stated that modifying the initial terms of office of the 911 Coordinating Council voting members would minimize the workload of processing 12 applications for appointment to the Council at the same time. He indicated the proposed administrative mechanism for distribution of prepaid wireless 911 fees was necessary because when prepaid wireless sales tax is paid, the jurisdictional information anticipated in current law is not collected, so there would be no way to comply with the existing requirement. The Association of Chiefs of Police, Kansas Sheriffs' Association, and Kansas Peace Officers Association provided written testimony in support of the bill. There was no testimony in opposition to the bill.

The Senate Committee on Utilities amended the bill to further clarify how prepaid wireless revenues in excess of \$2.0 million would be distributed to counties with more than one PSAP and to counties that do not have a PSAP. The Committee also made a technical amendment to the bill.

A fiscal note for the bill was not available at the time of the Senate Committee's action.